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GENERAL ACTS

PASSED BY THE

LEGISLATURE OF WISCONSIN,

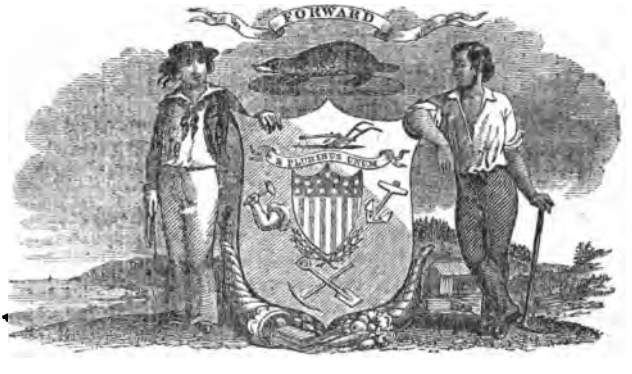
IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-SEVEN,

TOGETHER WITH

MEMORIALS AND RESOLUTIONS.

Published by Authority.



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1857.

1970

LIST OF OFFICERS.

"SECTION 1. * * * *There shall be prefixed to each volume of laws hereafter published the names and residence of the several State Officers, the Senators, and Members of the Assembly, and the Presiding Officers, and Clerks of both branches of the Legislature, at the time of the passage of such laws.*"—GENERAL LAWS 1854, CHAPTER 94.

NAMES AND RESIDENCE

OF THE STATE OFFICERS, SENATORS, MEMBERS OF THE ASSEMBLY, PRESIDING OFFICERS, AND CLERKS OF BOTH BRANCHES OF THE LEGISLATURE, IN OFFICE AT THE TIME OF THE PASSAGE OF THE LAWS CONTAINED IN THIS VOLUME.

NAME.	OFFICE.	RESIDENCE.	
		Post Office.	County.
Coles Bashford	Governor	Oshkosh	Winnebago
B. F. Hopkins	Private Sec'y to Governor	Madison	Dane
Arthur McArthur	Lieutenant Governor	Milwaukee	Milwaukee
David W. Jones	Secretary of State	Belmont	La Fayette
John W. Hunt	Assistant do	Madison	Dane
Charles Kuehn	State Treasurer	Two Rivers	Manitowoc
Carl Habich	Assistant do	Madison	Dane
William R. Smith	Attorney General	Mineral Point	Iowa
A. C. Barry	State Superintendent	Rochester	Racine
Mahlon S. Barry	Assistant do	Rochester	Racine
William M. Dennis	Bank Comptroller	Watertown	Dodge
Adolph Menges	Deputy do	Madison	Dane
Edward McGarry	State Prison Commissioner	Waupun	Dodge
Horace Rublee	State Librarian	Madison	Dane
S. W. Barnes	Senator	Watertown	Jefferson
H. C. Bull	..do	Madison	Dane
J. A. Barber	..do	Lancaster	Grant
S. C. Bean	..do	Lake Mills	Jefferson
E. Fox Cook	..do	Sheboygan	Sheboygan
C. S. Chase	..do	Racine	Racine
T. Clark	..do	Manitowoc	Manitowoc
G. E. Dexter	.do	Monroe	Green
M. M. Davis	..do	Portage City	Columbia
A. Greulich	..do	Milwaukee	Milwaukee
E. Gernon	..do	Genesee	Waukesha
H. H. Giles	..do	Stoughton	Dane
L. P. Harvey	..do	Shopiere	Rock

NAMES.	OFFICE.	RESIDENCE.	
		Post Office.	County.
L. Hanchett	Senator	Plover Portage	Portage
L. W. Joiner	..do	Wyoming	Iowa
J. T. Kingston	..do	Necedah	Juneau
M. L. Kimball	..do	Berlin	Marquette
J. C. Mills	..do	Elkhorn	Walworth
E. O'Neil	..do	Milwaukee	Milwaukee
E. Pier	..do	Fond du Lac	Fond du Lac
W. T. Price	..do	Black River Falls	Jackson
S. L. Rose	..do	Beaver Dam	Dodge
P. H, Smith	..do	Appleton	Outagamie
H. J. Schulties	..do	Ozaukee	Ozaukee
C. L. Sholes	..do	Kenosha	Kenosha
P. B. Simpson	..do	Shullsburg	La Fayette
J. Sutherland	..do	Janesville	Rock
B. S. Weil	..do	Schlesingerville	Washington
E. Wheeler	..do	Oshkosh	Winnebago
W. Wilson	..do	Menominee	Dunn
Arthur McArthur	Lt. Gov. & Pres. of Senate	Milwaukee	Milwaukee
Thomas S. Allen	Member of the Assembly	Mineral Point	Iowa
John Anunson	..do	Winchester	Winnebago
D. M. Aspinwall	..do	Farmington	Jefferson
Geo. R. Atherton	..do	Clinton	Rock
Henry W. Barnes	..do	Wiota	La Fayette
M. S. Barnett	..do	Rosendale	Fond du Lac
Q. H. Barron	..do	Fox Lake	Dodge
G. M. Bartholomew	..do	Lodi	Columbia
F. K. Bartlett	..do	Milwaukee	Milwaukee
Lathrop Burgess	..do	Salem	Kenosha
George Cairncross	..do	Pewaukee	Waukesha
James Catton	..do	Burlington	Racine
D. D. Cameron	..do	La Crosse	La Crosse
Wm. Chappell	..do	Watertown	Jefferson
Kendall P. Clark	..do	Portland	Jefferson
Theo. Conkey	..do	Appleton	Outagamie
Edgar Conklin	..do	Green Bay	Brown
Henry Converse	..do	Wyocena	Columbia
Hopewell Coxe	..do	Hartford	Washington
Thos. Cuningham	..do	Clark's Mills	Manitowoc
R W Davison	..do	Beverly	Dane
N W Dean	..do	Madison	Dane
James H Earnest	..do	New Diggings	La Fayette
E Enos, Jr.	..do	Waukesha	Waukesha
Lewelyn J Evans	..do	Racine	Racine
Albert W Emory	..do	Potosi	Grant
James Fagan	..do	Cedarburg	Washington
Robert C Field	..do	Richland City	Richland
Lucius G Fisher	..do	Beloit	Rock
E A Foot	..do	Footville	Rock
E N Foster	..do	Mayville	Dodge
Joachim Gulick	..do	Ora-Oak	Grant
T W Hall	..do	Monroe	Green
Sam'l D Hastings	..do	Trempealeau	Trempealeau
C S Hawley	..do	Waukesha	Waukesha
George Hawley	..do	Poysippi	Waushara

NAMES.	OFFICE.	RESIDENCE.	
		Post Office.	County.
Herman Haertel	Member of the Assembly.	Milwaukee	Milwaukee
P D Hayward	do	Kingston	Marquette
F W Horn	do	Cedarburg	Ozaukee
R H Hotchkiss	do	Plymouth	Sheboygan
O C Howe	do	Lowville	Columbia
Jasper Humphrey	do	Milwaukee	Milwaukee
R E Hutchinson	do	Prairie du Chien.	Crawford
Geo A Jenkins	do	Charlestown	Calumet
John A Johnson	do	Stoughton	Dane
Ephraim Knowlton	do	Highland	Iowa
Joseph Langworthy	do	Mauston	Juneau
James M Lewis	do	Oconomowoc	Waukesha
F S Lovell	do	Kenosha	Kenosha
P C Lutkin	do	Whitesville	Racine
Robt P Main	do	Oregon	Dane
Z P Mason	do	Sheboygan	Sheboygan
O T Maxson	do	Prescott	Pierce
Wm P McAllister	do	Omro	Winnebago
Andrew McCormick	do	Milwaukee	Milwaukee
Joseph T Mills	do	Lancaster	Grant
Fred Moscowitz	do	Milwaukee	Milwaukee
W M Morse	do	Alderley	Jefferson
Joseph Nelson	do	Raymond	Racine
David Noggle	do	Janesville	Rock
J F Ostrander	do	Aztalan	Jefferson
Benj F Phillips	do	Mukwa	Waupaca
Peter Potter	do	Leroy	Dodge
J D Reymert	do	Milwaukee	Milwaukee
James Reynolds	do	Milwaukee	Milwaukee
Hanmer Robbins	do	Platteville	Grant
Anson Rood	do	Stevens Point	Portage
E L Runals	do	Ripon	Fond du Lac
Philetus Sawyer	do	Oshkosh	Winnebago
A Scott Sloan	do	Beaver Dam	Dodge
E B Stevens	do	Sturgeon Bay	Door
Wyman Spooner	do	Elkhorn	Walworth
G W Stone	do	Winooski	Sheboygan
George Strong	do	Hudson	St Croix
Moses M Strong	do	Milwaukee	Milwaukee
John B Sweat	do	Black Earth	Dane
Thomas Sugden	do	North Prairie	Waukesha
Allen Taylor	do	Fairplay	Grant
Jonathan Taylor	do	Milwaukee	Milwaukee
H A Tenney	do	Madison	Dane
M J Thomas	do	Fond du Lac	Fond du Lac
C F Thompson	do	Monticello	Green
James G Train	do	Merrimack	Sauk
Wm H Tripp	do	Janesville	Rock
James Vollmar	do	West Bend	Washington
S W Voorhees	do	Sharon	Walworth
Davis H Waite	do	Princeton	Marquette
Solmous Wakeley	do	Whitewater	Walworth
C H Walker	do	Manitowoc	Manitowoc
Aaron Walters	do	Foster	Fond du Lac

NAMES.	OFFICE.	RESIDENCE.	
		Post Office.	County.
R B Wentworth	Member of the Assembly.	Juneau	Dodge
Abram West	do	Reedsburg	Sauk
Joseph White	do	Cottage Inn	La Fayette
S A White	do	Ozaukee	Ozaukee
John B Wilbor	do	Fond du Lac	Fond du Lac
David Williams	do	Springfield	Walworth
J J Williams	do	Lowell	Dodge
Arthur McArthur	Lt. Gov. & Pres. of Senate	Milwaukee	Milwaukee
Wyman Spooner	Speaker of the Assembly.	Elkhorn	Walworth
Wm H Brisbane	Chief Clerk of Senate	Arena	Iowa
Harrison Reed	Assistant do	Neenah	Winnebago
W C Webb	Chief Clerk of Assembly.	Wautoma	Waushara
E B Quiner	Assistant do	Watertown	Jefferson

GENERAL LAWS

OF THE

STATE OF WISCONSIN,

TOGETHER WITH THE

MEMORIALS AND RESOLUTIONS.

Chap. 1.

Published, March 21, 1857.

AN ACT to change the time for holding the Circuit Court in the Sixth Judicial Circuit.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Circuit Court in the following named counties, comprising the Sixth Judicial Circuit of the State of Wisconsin, shall be holden at the times hereinafter mentioned, viz: in the county of Clark on the first Monday of March and the first Monday of September of each year; in the county of Jackson on the second Monday of March and the second Monday of September of each year; in the county of LaCrosse on the fourth Monday of March and the fourth Monday of November of each year; in the county of Trempeleau on the second Monday of April and fourth Monday of September of each year; in the county of Buffalo on the third Monday of April and the first Monday of October of each year; in the county of Monroe on the

Time of holding Court in 6th Judicial Circuit changed.

second Monday of May and the third Monday of October of each year; in the county of Crawford on the fourth Monday of May and the second Monday of November of each year; in the county of Bad Axe on the second Monday of June and on the second Monday of December of each year.

Relative to process and proceedings heretofore issued.

§ 2. All process, proceedings and recognizances, heretofore commenced or issued, or which may be commenced or issued, in or from said Courts, or either of them, and all proceedings pending therein or returnable thereto, whether by recognizance or otherwise, shall be held and taken as returnable at the times named in this act as the times for holding the said Courts respectively.

§ 3. All acts contravening the provisions of this act are hereby repealed.

§ 4. This act shall take effect from and after its passage.

Approved, January 31, 1857.

Chap. 2.

Published, March 23, 1857.

AN ACT to repeal Chapter 143 of the Session Laws of 1856, entitled, "An Act to amend Chapter 24 of the Revised Statutes."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chap. 143, Laws of 1856 repealed.

§ 1. That Chapter one hundred and forty-three (143) of the general laws of 1856, entitled "An Act to amend Chapter twenty-four of the Revised Statutes," be and the same is hereby repealed; and all acts and parts of acts repealed by the enactment of the said Chapter one hundred and forty-three are hereby revived.

§ 2. This act shall take effect from and after its passage.

Approved, February 2, 1857.

Chap. 3.

Published, April 22, 1857.

AN ACT to amend Chapter 115 of Session Laws of 1856, entitled "An Act to provide for the annual examination of the accounts of certain State Officers.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That Section one of Chapter one hundred and fifteen is hereby amended, by inserting after the words "University Lands," the words "Bank Comptroller and Superintendent of Public Instruction." Chap. 115, Laws of 1856 amended.

§ 2. This act shall be in force and take effect from and after its passage.

Approved, February 4, 1857.

Chap. 4.

Published, March 30, 1857.

AN ACT to provide for the auditing and payment of the Postage of the Members and Officers of the Senate and Assembly.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The Secretary of State is hereby authorized and required to audit the accounts for postage or printed matter sent and received by members and officers of the present Legislature, and when so audited shall certify the same to the State Treasurer, who is hereby authorized to pay the same. Postage of Members of the Legislature.

§ 2. This act shall take effect and be in force from and after its passage.

Approved February 4, 1857.

Chap. 5.

Published, April 13, 1857.

AN ACT to amend Chapter seven of the Revised Statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Certificate in case of election of U. S. Senator.

§ 1. In case the President of the Senate and Speaker of the Assembly, or either of them, shall neglect or refuse to execute the certificate required by Section ten of Chapter seven of the Revised Statutes, the Chief Clerks of the Senate and Assembly shall make out a certified statement of the result of such election, stating the whole number of votes given and the number of votes received by each person voted for, and shall deliver such certified statement to the Governor, and a certified copy thereof to the Secretary of State.

Duty of Governor.

§ 2. The Governor shall, upon receiving such certified statement, make out and deliver to the person who shall have received a majority of the votes cast a certificate under the seal of the State, signed by him as Governor, certifying that such person has been duly elected Senator.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, February 12, 1857.

Chap. 6.

Published, April 2, 1857.

AN ACT to amend an act entitled "An Act to provide for the annual examination of the accounts of certain State officers," Approved Oct. 6, 1856.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Examination of accounts of State Officers.

§ 1. Section one of an act entitled "an act to provide for the annual examination of the accounts of certain State officers," approved October 6, 1856, is hereby amended by adding the following proviso: *Provided,*

that in case the committee are unable to present their report within the time limited, they may report at any time, one week previous to the adjournment of the Legislature.

§ 2. In case the committee shall deem it necessary in the performance of the duties assigned them by the above mentioned act, and the several acts amendatory thereto, they are hereby authorized to send for persons and papers, and to examine witnesses under oath. May send for persons and papers.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, February 17, 1857.

Chap. 7.

Published April 13, 1857.

AN ACT to fix the compensation of the officers of the Legislature, for the year 1857.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, a sum sufficient to pay the per diem of officers of the Legislature as hereinafter mentioned, as follows:—To the Chief Clerks, each, six dollars; to the Assistant Clerks, each, five dollars; to the Reading Clerk of the Assembly, appointed by a resolution of that body, five dollars; and to all other Clerks, four dollars; to the Sergeant at-Arms, five dollars; to the Assistant Sergeant-at-Arms, four dollars; to the Post Master, four dollars; to his Assistant, three dollars and fifty cents; to the Doorkeepers. Firemen and their assistants, three dollars each, and to Messengers two dollars each. Per diem of officers of the Legislature.

§ 2. The per diem hereby established shall only be allowed from the commencement to the adjournment of the Legislature, and each of the officers mentioned in this act is hereby authorized to receive his per diem from the Treasury on the certificate of the presiding officers of their respective houses, as to the number of days attendance.

Approved, February 16, 1857.

Chap. 8.

Published, February 23, 1857.

AN ACT relating to the writ of Habeas Corpus to persons claimed as Fugitive Slaves, the right of trial by jury, and to prevent kidnapping in this State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Power of County Courts.

§ 1. The [same] power is hereby given to, and the same duties imposed upon the judges of the County Courts of the several counties in this State which are given to and imposed upon the judges of the Circuit and Supreme Courts by the constitution and laws of this State, for the purposes hereinafter provided

Duty of District Attorneys.

§ 2. It shall be the duty of the district attorneys, within their respective counties, whenever any inhabitant of this State is arrested or claimed as a fugitive slave, on being informed thereof, diligently and faithfully to use all lawful means to protect, defend and procure to be discharged every such person so arrested or claimed as a fugitive slave.

Authority for issuing writ of Habeas Corpus.

§ 3. The application of any District Attorney, in writing, to any one of the Judges of the Supreme Court, or to any Judge of the County or Circuit Courts, signed by said District Attorney in his official capacity, stating, in substance, the name of the person, and the name of the person detaining him or her, if known, and that the person arrested, claimed and imprisoned as a fugitive slave, shall be sufficient authority to authorize the issuing of the writ of habeas corpus, as provided in chapter one hundred and twenty-four of the Revised Statutes of Wisconsin, and said writ may be signed by any one of the said Judges, or by the Clerk of the Supreme or Circuit Court; and said writ shall be made returnable before either the Circuit or County Court, when in session, in the County where such application is made, and in vacation said writ may be made returnable forthwith before either of the Judges aforesaid.

Duty of Judicial and Executive officers.

§ 4. It shall be the duty of all judicial and executive officers in this State, in their respective counties, who shall know or have good reasons to believe, that any inhabitant of this State is about to be arrested or claimed as a fugitive slave, forthwith to give notice thereof

to the District Attorney of the county in which such person resides.

When granted in vacation.

§ 5. Whenever the writ of habeas corpus is granted in vacation, as provided in this act, or as provided by existing laws, if upon the hearing of the same before any one of the judges aforesaid, the person imprisoned, arrested or claimed as a fugitive slave shall not be discharged, such person shall be entitled to an appeal to the next stated term of the Circuit Court in the County where such hearing was had, on furnishing such bail, and within such time as the judge granting the writ, on hearing the case, shall adjudge to be reasonable and proper.

In cases of appeal.

§ 6. The Court to which such appeal is taken, and any other Court to to which a writ of habeas corpus in behalf of any person claimed or arrested as a fugitive slave is made returnable, may and shall, on the application of either party to such proceedings, allow and direct a trial by jury on all questions of fact in issue between the parties in the matter aforesaid; and the taxable cost of such trial shall be chargeable to the State, whenever the same would be otherwise chargeable to the person arrested or claimed as a fugitive slave.

Fine for representing that any free person is a slave.

§ 7. Every person who shall falsely and maliciously declare, represent or pretend that any free person within this State is a slave, or owes service or labor to any person or persons, with intent to procure or to aid or assist in procuring the forcible removal of such free person from this State as a slave, shall pay a fine of one thousand dollars, and be imprisoned in the State Prison not more than five nor less than one year; *Provided*, That nothing in this act shall be construed as applying to any claim of service from an apprentice for a fixed time.

Two witnesses required to prove that a person is a slave.

§ 8. No declaration, representation or pretence that any person being or having been in this State is or was a slave, shall be deemed proved, except by the testimony of at least two credible witnesses, testifying to facts directly tending to establish the truth of such declaration, representation or pretence, or by legal evidence equivalent thereto; and any person who, upon any trial arising under this and the foregoing section, shall falsely and willfully represent or pretend, with intent to aid any party accused under this act, that any person was or is a slave, or owes or did owe service or labor to any person or persons, shall pay a fine of one thousand dol-

lars and be imprisoned in the State prison not less than one year.

Depositions not received.

§ 9. On the trial of any prosecution arising under this act, no deposition shall be received as evidence.

Punishment for obstructing an officer.

§ 10. Every person who shall obstruct any officer in the service of any warrant issued in accordance with this act, or who shall aid in the escape of any person accused under sections seven and eight of this act, or who shall aid in the escape of any person accused under said sections seven and eight, while pursued by such officer, or in his custody, shall be imprisoned in the State Prison not less than one year.

Judgements under Fugitive slave act not a lien.

§ 11. No judgment recovered against any person or persons for any neglect or refusal to obey, or any violations of the act of Congress, commonly termed the Fugitive Slave Act, approved September 18th, 1850, or any of the provisions thereof, shall be a lien on any real estate within this State, nor shall any such judgment be enforceable by sale or execution of any real estate, or personal property within this State, but all such sales shall be absolutely void, and in case of seizure or sale of any personal property by virtue of any execution issued on such judgments, the defendant in said execution may maintain an action of replevin or other action to secure possession thereof in the manner provided by law for such actions on affidavit filed as required by law, and a further statement therein, that said execution issued in a judgment rendered under the provisions of the act of Congress aforesaid, and the provisions of this section shall also apply to judgments heretofore rendered.

§ 12. This act shall be considered a public act, and shall be construed favorably by all Courts, and in all places, and shall take effect and be in force from and after its passage.

Approved, February 19, 1857.

Chap. 9.

Published, April 2, 1857.

AN ACT to amend Chapter 119 of the General Laws of 1856, entitled "An Act to authorize County Boards of Supervisors to order the publication of public notices relating to foreign affairs and foreign languages."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Ch. 119 laws of 1856, amended.

§ 1. Section one of Chapter one hundred and nineteen of the General Laws of Wisconsin for the year 1856, is hereby so amended as to read, in all cases, when the Board of Supervisors of any county in this State shall deem it necessary for the better information of the inhabitants thereof, they may order public notices relating to tax sales or other affairs of said county to be published in one newspaper, published in any other than the English language; *Provided*, That all such notices shall be published in a newspaper published in the English language as heretofore required by law.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, February 20, 1857.

Chap. 10.

Published April 13, 1857.

AN ACT in relation to the duties and compensation of the Clerks of the Supreme Court.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Duty of Clerk of Supreme Court.

§ 1. If at any term of the Supreme Court of this State, a quorum of the justices of said Court shall not attend on the first day of the term, the clerk shall enter such fact on the record and the court shall stand ad-

journed until the succeeding day, and so from day to day, for six days, and if the court shall not be opened within six days, all matters pending in said court shall stand continued of course until the next term, and no action or matter shall abate or be discontinued.

Per diem to Clerk.

§ 2. The Clerk of the Supreme Court of said State, shall receive in addition to the fees allowed by statute a per diem of five dollars per day during the actual session of the court, commencing with the December term, A. D. 1856, to be paid out of the State treasury semi-annually at the close of each term, on the certificate of the justices of said court or a majority of them, of the number of days attendance at such session, and a sufficient sum is hereby annually appropriated out of the State Treasury to pay the same.

§ 3. This act shall take effect and be in force from and after its passage.

Approved Feb. 20, 1857.

Chap. 11.

Published, March 2, 1857.

AN ACT to amend an act entitled "An Act to provide for auditing and payment of the postage of the Members and Officers of the Senate and Assembly." Approved February 4, 1857.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Legislative Postage.

§ 1. That section one of an act entitled "an act to provide for auditing and payment of the postage of the Members and Officers of the Senate and Assembly, approved February 4, 1857, is hereby amended by adding the following: And there is hereby appropriated out of any money in the treasury, not otherwise appropriated, a sum of money sufficient to pay said postage.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, February 20, 1857.

Chap. 12.

Published April 1, 1857.

AN ACT to change and fix the time for holding the Circuit Courts in the several counties within the fourth Judicial Circuit.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The terms of the Circuit Court shall be holden in the counties of Winnebago, Fond du Lac, Manitowoc, Sheboygan, and Calumet, the counties comprising the (4th) Fourth Judicial Circuit, at the times following, in each year: In the county of Winnebago, on the first Monday of May, eighteen hundred and fifty-seven, and thereafter, on the second Monday of September and the second Monday of March in each year; in the county of Fond du Lac on the fourth Monday of March and the fourth Monday of September; in the county of Sheboygan, on the second Monday of April, and the second Monday in October; in the county of Manitowoc on the fourth (4th) Monday of April and October; in the county of Calumet on the second Monday in May, and first Monday in November. Time for holding Courts in Fourth Judicial Circuit changed.

§ 2. All Writs, Summons, Indictments, Recognizances and other proceedings made returnable by any law of this State now in force to the terms of the several Circuit Courts mentioned in this act, shall be returnable to the terms of said Circuit Courts as the same are hereinbefore fixed, and all adjournments, appearances, continuances, motions and notices of any proceedings in said Court, made or taken to any term of a previous or subsequent date to the term when this act shall take effect, shall be held to be made and taken for the time hereinbefore fixed for holding the terms of said Court. Return of Writs, etc.

§ 3. Chapter sixty five of the session laws of eighteen hundred and fifty-five, approved March 31, 1855, is hereby repealed.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, February 23, 1857.

Chap. 13.

Published, April 2, 1857.

AN ACT to provide for Town Cemeteries.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Town Boards authorized to purchase cemetery grounds.

§ 1. It shall be the duty of the town board of the several towns in this State, on the application of ten free holders of any such town, in writing, at any regular meeting of such board, may, provided they shall deem it necessary so to do, purchase in the name of the towns, suitable grounds, not exceeding twenty acres, for and to be used exclusively as a town cemetery; which said grounds, or such portion thereof as may from time to time become necessary for that purpose, shall be surveyed, divided and platted into lots of such size, and with such avenues, alleys and walks as the town board shall direct, and a map of such survey shall be filed in the office of the town clerk; and the ground so purchased, shall under and by the directions of the town board, be inclosed by a good and appropriate fence as soon as practicable.

Provision for selling lots.

§ 2. After such map shall have been filed in the office of the town clerk, as above provided, the town board may in the name of the town, sell and convey the lots as designated on such map, upon such terms and subject to such conditions as said board shall prescribe: *Provided*, That every conveyance of any such lot or lots shall be expressly for burial purposes and no other, and shall be executed in the name of the town, and signed by the chairman of supervisors and attested by the clerk of such town.

Disposal of proceeds of sale.

§ 3. The proceeds arising from the sale of said lots, shall by said board, be applied to the payment of any debts incurred by the town in the purchase, fencing and embellishing such grounds and the avenues leading thereto, and in defraying the necessary expense in the management and care of the same, and for no other purpose.

Lots shall be inalienable.

§ 4. After there shall have been an interment in any lot conveyed as above provided, such lot from the time of such first interment shall forever thereafter be inalienable, and shall on the death of the proprietor thereof,

descend to his heirs, but any one or more of such heirs, may release to any other of such heirs, his, her or their interest in such lot, which release shall be filed in the office of the town clerk.

§ 5. This act shall take effect from and after its passage.

Approved, February 23, 1857.

Chap. 14.

Published, April 21, 1857.

AN ACT to amend an act entitled "An Act to amend Chapter eighty-four of the Revised Statutes." Approved, April 2, 1853.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Relative to foreclosure of Mortgage when person making it is dead, and heirs are unknown.

§ 1. That Chapter eighty-one of the Session laws of eighteen hundred and fifty-three, is hereby amended so as to read as follows, to wit: In all suits in Chancery brought to compel a specific performance of a contract, or foreclosure of any mortgage made by any person or persons who have died, either within or without this State, and the name or names of his, her or their heir or heirs, or any of them, whether resident of this State or not, are unknown to the complainant or complainants, it shall be lawful for him, her or them, to proceed against such unknown heir or heirs, as against absent defendants; and he, she or they may be made defendant or defendants to the bill of complaint in the cause by the name or description of "The unknown heir or heirs, or minor heir or heirs, (as the case may be,) of ———— deceased," filling the blank with the name or names of the deceased person or persons, and with a further statement of his, her or their last place of abode when living, if known, whose heir or heirs may be proceeded against; and by such name or description notice shall be given by publication, as in case of suits against other non-resident defendants. And after due publication of such notice, and proof thereof, the Court shall in all cases of infant defendants appoint a guardian

ad litem, by such name or description as is given in th bill of complaint.

Decree valid.

§ 2. And any decree made against such unknow heir or heirs shall be as valid and binding, in all re pects, as if his, her, or their respective names had bee inserted in such bill and proceeding.

§ 3. This act shall take effect and be in force fro and after its passage.

Approved, February 23, 1857.

Chap. 15.

Published April 1, 1857.

AN ACT to enable School Districts to borrow money to build Sch Houses.

The people of the State of Wisconsin, represented Senate and Assembly, do enact as follows:

Question of loaning money to be submitted to the legal voters.

§ 1. Whenever any school district within this Stat shall desire to make a loan of money to aid in the ere tion of a school house or houses the question of a lo shall first be submitted to the legal voters authorized vote at an annual school meeting, the vote to be take by ballot, those voting in favor of the loan shall hav written or printed, or partly written and partly printe on their tickets "For the Loan," and those votin against the loan shall have written or printed, or part written and partly printed on their tickets "Again the Loan." And, provided a majority of all the leg voters resident in the district shall vote in favor of th loan, then the board of directors of any such school di trict, the trustees of any village, the common counc of any city, or the boards of education for such villag or city, within the bounds of which any such school di trict is located, shall have power and authority to bo row money to aid in the erection of a school house o school houses, under the restrictions hereinafter men tioned.

Shall not be borrowed for longer time than five years.

§ 2. The money loaned in pursuance of the provi ions of section one of this act shall not be borrowed f

longer period than five years, and shall draw such ate of interest as may be agreed upon by the parties, at in no case exceeding a greater rate than twelve per ent. per annum, and the said board of directors, trus-ees, common council, or board of education, is hereby uthorized to give notes, bonds, or execute a mortgage pon any of the property real or personal, belonging to he district making the loan, to secure the payment of he principal and the interest on the sum so borrowed. And the sum so borrowed shall in no case exceed ten er cent. on the valuation of the real estate contained n the district for the benefit of which the loan is made, ccording to the valuation contained in the last assess-ent roll or rolls of the town or towns, village or city, n which any such school district may be situated.

§ 3. Prior to the last Monday in September, A. D. 857, it shall be lawful for any school district within his State to vote a loan as directed in section one of his act: *Provided* a majority of all the legal voters in ny school district shall sign a call for a meeting for hat purpose, and, provided, further, that three or more otices stating the object for which such meeting has een called, shall be posted by the Clerk of the said chool district, village, or city, or board of education or such village or city, in at least three of the most ublic places in the district one week before the time entioned for said meeting. When lawful to vote on loan.

§ 4. This act shall be published, and take effect from nd after its passage and publication.

Approved, February 23, 1857.

Chap. 16.

Published April 14, 1857.

AN ACT to define and determine the boundary line between the counties of Buffalo and Trempealeau.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The boundary line between the counties of Buf-alo and Trempealeau, as established by the act of the egislature organizing the county of Trempealeau, ap- Boundary line defined.

proved January 27, 1854, is hereby defined and declared to be as follows: Commencing at the point where the range line between ranges nine and ten west, intersects the township line between townships twenty-four and twenty-five north; thence south on said range line to the Trempealeau or Mountain river; thence down the meandered channel, being the most westerly channel of said Trempealeau or Mountain river, passing through townships twenty and nineteen north of range ten west, and through the north east corner of section two, through sections three, ten, nine and fifteen of township eighteen north, of range ten west to the main channel of the Mississippi river, including in Trempealeau county the island in the Mississippi river, composed of portions of sections fourteen, fifteen, twenty-two, twenty-three and twenty-four of township eighteen north of range ten west, as laid down in the plats of the United States Government surveys.

§ 2. This act shall take effect and be in force from and after its passage.

Approved February 24, 1857.

Chap. 17.

Published, April 3, 1857.

AN ACT to regulate the boundaries of La Crosse and Jackson counties.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Certain territory attached to La Crosse.

§ 1. That towns number twenty-two (22) and twenty three (23), north of range number four (4), five (5) and six (6) west, and towns number twenty (20), twenty-one (21) and twenty four (24) north of range number five (5) and six (6) west, in the county of Jackson, are hereby attached and shall hereafter be and constitute a part of La Crosse county.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, February 24, 1857.

Chap. 18.

Published April 13, 1857.

AN ACT to establish the name and heirship of an infant whose name is unknown.

Whereas, Quartus H. Barron, of Fox Lake, Dodge county and State of Wisconsin, in the month of January 1754, received from the orphan asylum, in the city of Milwaukee, an infant male child of about the age of two years, whose name and parentage is unknown, which child still remains with said Barron who proposes to adopt said child as his heir. Therefore,

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The child mentioned in the foregoing preamble, shall hereafter be known by the name of Frank Townsend Barron, by which name he shall hereafter be known and recognized.

§ 2. The said Frank Townsend Barron, shall be esteemed and taken in law to be the child and heir at law of Quartus H. Barron, Sylvia H. Barron his wife, of Dodge county, and the mutual obligations, parents and child shall exist and pertain as fully between the foster parents and foster child mentioned, as in the case of natural parentage.

§ 3. This act shall take effect and be in force from and after its passage and publication.

Approved, February 24, 1857.

Chap. 19.

Published, March 10, 1857.

AN ACT to Legalize certain Highways.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

What are deemed legal highways.

§ 1. All highways laid out by the Supervisors of any town and recorded, any portion of which shall

have been opened and worked for the term of three years, shall be deemed to be and are hereby declared to be legal highways so far as they have been so opened and worked notwithstanding the Statutes may not have been in all respects pursued in laying out the same.

§ 2. This act shall be in force from and after its passage.

Approved, February 24, 1857.

Chap. 20.

Published April 3, 1857.

AN ACT to authorize the Secretary of State to audit the accounts for printing documents in Foreign Languages.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Foreign printing, Sec. of State to audit account for.

§ 1. The Secretary of State is hereby authorized to audit all accounts against the State, for printing documents in foreign languages ordered by the present legislature, and the accounts when so audited and allowed shall be paid by the State Treasurer on the order of the Secretary of State: *Provided*, That the Secretary of State shall in no case allow for such document more than ten cents for every thirty-two pages of the English print as contained in the same documents printed by the State Printer.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, February 25, 1857.

Chap. 21.

Published, April 13, 1857.

AN ACT establishing the name and heirship of Mary Conger.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Name and heirship of Mary Conger established.

§ 1. The name of Mary Conger, infant daughter of Anna Conger, is hereby changed to Mary Anne Torrey, by which name she shall be hereafter known and recognized.

§ 2. The said Mary Anne Torrey shall be esteemed and taken to be the heir-at-law of Wilson Torrey and Urania Torrey his wife, of Fox Lake, in the county of Dodge, and the mutual obligations of parent and child shall exist and pertain as fully between the said Wilson Torrey and Uriana Torrey, and the said Mary Anne Torrey, as in the case of mutual parentage.

§ 3. This act shall take effect from and after its passage.

Approved, April 26, 1857.

Chap. 22.

Published, April 14, 1857.

AN ACT to amend an act entitled "An Act to provide for more fully carrying into effect the general Banking Law of this State." Approved March 18, 1856.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Salary of Clerk increased.

§ 1. An act entitled "An act to provide for more fully carrying into effect the General Banking Law of this State," approved March 18, 1856, is hereby amended by striking out the words "six hundred" where they occur in the first and second sections of said act,

and inserting in place thereof the words "eight hundred."

§ 2. This act shall take effect and be in force from and after its passage.

Approved, February 27, 1857.

Chap. 23.

Published, April 2, 1857.

AN ACT to appropriate to Wolfgang Rublee and others, the sum therein named.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Money paid for school lands refunded.

§ 1. There is hereby appropriated to the several persons hereinafter mentioned, out of any money in the State Treasury not otherwise appropriated, the several sums of money hereinafter set forth in full, of purchase money, interest and damages sustained by them in consequence of the failure of title of several tracts of land purchased by them of the State to which the State has no title, viz.: To Wolfgang Rublee, for purchase money, interest and damages on the north-west quarter of the south east quarter of section seven (7), town nine, north of range twenty-two east, the sum of one hundred and sixty-one and 67-100 dollars; to Philip Wirgand, for the purchase money, interest and damages on the north east quarter of the south east quarter of section seven, town and range aforesaid, the sum of two hundred and eighty-one and 86-100 dollars; to John Barth, for purchase money, interest and damages on the south west quarter of the south east quarter of same section, town and range, the sum of one hundred and ninety-eight and 65-100 dollars; to Helena Miesegardes, for purchase money, interest and damages on south-east quarter of South east quarter of said section, town and range, the sum of one hundred and ninety-eight and 65-100 dollars; to Karl Kichhafer for purchase money, interest

and damages on the north west quarter of the north-west quarter of section seventeen, town and range aforesaid: the sum of one hundred and eighty-five and 39 100 dollars; to Christopher Blanbach, for purchase money, interest and damages on the south-west quarter of the north-west quarter of said section seventeen, town and range aforesaid, the sum of one hundred and ninety-five dollars; to John Lindun, for purchase money, interest and damages on the south east quarter of the north-west quarter of said section seventeen, town and range aforesaid, the sum of one hundred and forty and 62-100 dollars; to Andrew Kinzhals, for purchase money, interest and damages on the north-east quarter of the north-west quarter of said section seventeen, in said town and range, purchased of the State by Michael Dana, and of whom said Andrew Kinzhals is the assignee, the sum of one hundred and eighty-five and 39-100 dollars.

§ 2. The Secretary of State is hereby required to annul and cancel all records in regard to the sale of the above described lands in the different offices of the school land commissioners, and to require all certificates issued upon the sale of such lands to be surrendered and cancelled before certifying this act to the State Treasurer, unless he shall be satisfied by affidavit that any such certificate shall be lost or destroyed. Secretary of State required to cancel records.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, February 27, 1857.

No. 16 (S.) *Resolved by the Senate, the Assembly concurring*, That the Secretary of State is hereby authorized to direct the State Treasurer to pay the several sums of money appropriated by an act of this Legislature, entitled "An act to appropriate to Wolfgang Rublee and others the sums therein named," the persons named in said act out of the school fund instead of the general fund, as is contemplated by said act, except six hundred dollars; which six hundred dollars the State Treasurer is authorized to loan from the school fund, to be paid back to said fund as soon as money in the general fund comes into the Treasury.

Chap. 24.

Published, March 27, 1857.

AN ACT to amend Chapter 187 of the Session Laws of 1851, entitled "An Act relating to the Militia."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Adjutant General required to divide the State into divisions, brigades, etc.

§ 1. Chapter 187 of the Session Laws of 1851, entitled "An Act relating to the Militia," is hereby so amended as to authorize and require the Adjutant General of the State, immediately after the passage of this act, to re-organize the militia of this State, and to divide the State up in new military divisions, brigades, regiments, battalions and companies, in such manner as he shall deem advisable and convenient.

Offices under old division declared vacant.

§ 2. Such alterations of the divisions, brigades, regiments, battalions and companies, shall be made in writing by the adjutant general, and when approved by the Governor, shall be filed in the office of the Secretary of State; and upon filing the same, the various offices of such divisions, brigades, regiments and battallions shall be deemed vacant, and they shall be filled in the manner now provided by law.

§ 3. All acts and parts of acts contravening the provisions of this act are hereby repealed.

Assessors and Clerks of towns required to make returns.

§ 4. If any town or ward Assessor, or any Clerk of any town or city, or any Clerk of the Board of Supervisors of any county, shall fail or neglect to make return of the number of persons liable to military duty as required by law, the person so offending shall forfeit and pay a sum not less than fifty dollars nor more than one hundred dollars, to be received [recovered] in an action of debt in any court having competent jurisdiction.

§ 5. This act shall take effect and be in force from and after its passage.

Approved, February 28, 1857.

Chap. 25.

Published, April 1, 1857.

AN ACT providing for the erection of the main edifice of the State University.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Main edifice authorized.

§ 1. The Commissioners of School and University Lands are hereby authorized and directed to loan to the Regents of the State Univerrsity, from the principal of the University fund, a sum not exceeding forty thousand dollars; which sum shall be applied by the Regents to the erection of the main edifice of the State University. The State Treasurer shall retain a sufficient amount of the money belonging to the University Fund now in the Treasury, or which shall first come into the Treasury to meet the requirements of the Board of Regents for the money to be so loaned.

Provision for drawing funds.

§ 2. The Building Fund provided for as in section one of this act, shall be drawn by the Regents from the State Treasury, only upon estimates made by the building committee from time to time, for materials furnished, and work done in the erection of the building; the money so loaned to be a lien upon the income of the University Fund, the principal sum to become due and payable in thirty years from the day when the first instalment of said loan shall be paid to said Board of Regents; *Provided*, That the said Board of Regents shall have the right to pay the whole or any part of the principal sum loaned at any time before the expiration of said thirty years.

Income for 1857 appropriated.

§ 3 All moneys, due under this and previous acts, from the annual income of the University Fund, in payment of principal or interest of loans from the School and University Funds, shall be reserved and applied in payment thereof by the State Treasurer at the beginning of each fiscal year, and the income of the University Fund for the year A. D. 1857, is hereby appropriated to the University of Wisconsin, to be drawn

from the State Treasury in such manner as the Board of Regents, by their by-laws or resolutions shall direct.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, February 28, 1857.

Chap. 26.

Published, March 2, 1857.

AN ACT authorizing the enlargement of the State Capitol, and providing and appropriating means for the payment of the same.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Authority to sell the Capitol lands

§ 1. The Commissioners of School and University Lands, shall sell the ten sections of land appropriated by Congress "for the completion of Public Buildings," at such time and place, or places, as the Governor of this State shall direct, giving at least sixty days public notice of the time and place of such sale: *Provided*, That the actual settlers upon such lands, lawfully entitled to pre-empt any portion of the same, at the date of the passage of this act, may prove up and perfect such pre-emption, and pay the appraised value thereof, at any time before such day of sale. All of said lands that are not held by pre-emption, shall be sold to the highest bidder, but at not less than their appraised value, one half the purchase money to be paid at the time of sale, and the remainder in one year, with interest at seven per cent.

Money appropriated to build Capitol.

§ 2. The money arising from the sale of said lands is hereby appropriated, for the purpose of enlarging and improving the State Capitol; and for the purpose of aiding in said work, and providing fire proof offices within said enlarged building for the safe keeping of the books, records and public securities, and for the transaction of business in the offices of the State Treasurer, Bank Comptroller and the School Land Depart-

ment, the additional sum of thirty thousand dollars is hereby appropriated: *Provided*, the city of Madison shall, within sixty days from the passage of this act, donate to this State the sum of fifty thousand dollars, and pay the same to the Governor in city bonds, bearing seven per cent. interest, and the said bonds, and the proceeds arising from the sale thereof, are hereby also appropriated to the enlargement and improvement of the Capitol, as hereinafter provided. This act shall be of no force or effect unless the said city bonds be first issued and delivered to the Governor of this State. Proviso.

§ 3. The city of Madison is hereby authorised to issue fifty thousand dollars of coupon bonds, payable to the bearer thereof, at a stated time, not exceeding twenty years, for the purpose aforesaid: *Provided*, a majority of the owners of real estate in said city, voting on the question, shall authorize the same by vote to be taken at such time, and in such manner, as the Common Council, by ordinance shall provide: and *Provided further*, That the State shall never be liable for the payment of any part of said bonds, or the interest thereon, either to the city of Madison, or to any purchaser thereof. City of Madison authorised to issue bonds.

§ 4. Immediately after the passage of this act the Governor shall employ some competent architect to prepare drawings and plans for the enlargement of the Capitol, and shall also receive and consider all other plans and drawings that may be submitted to him for that purpose, and, calling to his aid and advice the Secretary of State, shall approve and adopt the plan best calculated to meet the wants of the State; and shall proceed as soon as practicable, after the receipt of the bonds aforesaid, to let by contract to the lowest and best bidder, the construction of such enlargement, first giving at least thirty days notice of the time and place of receiving proposals for the same, in not less than five newspapers printed in different counties in the State. The Governor shall appoint some competent architect to superintend such construction and enlargement; *Provided*, That no contract shall be entered into by the Governor, that shall create any debt or liability on the State greater than the amount provided and appropriated by this act. And such contract shall require the work to be performed in such manner as to cause the least possible obstruction to the use and occupancy of the present building, Governor and Sec'tary of State to adopt plan. Contract to be let.

and shall require the full completion thereof, at some time prior to the first day of November, 1858.

City bonds to be deposited with State Treasurer.

§ 5. The Governor shall deposit said City Bonds with the State Treasurer, who is hereby authorized to sell the same for cash at their par value, and keep the funds arising from the sale thereof, in the State Treasury, applicable to the payment of the work authorized to be performed under this act.

Estimate of work and payment upon it.

§ 6. Once in each month, the Superintendent shall estimate and report to the Governor the amount of work performed and material furnished under the contract for such enlargement, and if the Governor approve the same he shall certify eighty-five per cent. thereof to the Secretary of State, who shall certify to the Treasurer, and direct the amount to be paid out of said City Bonds remaining unsold, at their par value, and the cash in the Treasury applicable to the payment thereof, in such equitable proportions as shall be agreed upon by the Governor and such contractor. Upon the completion of the work under such contract, the remaining fifteen per cent. shall be certified and paid in like manner.

§ 7. This act shall take effect and be in force from and after its passage.

Approved, February 28, 1857.

Chap. 27.

Published, March 4, 1857.

AN ACT further to protect Laborers on Railroads.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

R. Road company liable to pay laborers of contractors.

§ 1. Whenever any laborer upon any railroad in this State, shall have just claim or demand to the amount of twenty dollars or more for labor performed on such railroad, against any person being contractor on such railroad with the railroad company, for the construction of any part of the railroad of said company, such railroad company shall be liable to pay such laborer the amount of such claim or demand;

Provided, Such laborer shall have given notice to such railroad company within thirty days after such claim or demand shall have accrued, that he has such claim or demand; *Provided*, Such claim or demand shall have accrued within sixty days prior to the giving of such notice; such notice shall be in writing, and shall specify the particular nature and amount of the claim or demand; and shall be delivered to the Secretary or Chief Engineer of such company, or to the Engineer in charge of the construction of that portion of the road upon which such labor was performed.

Laborer to give notice, specifying nature and amount.

§ 2. No person employed by any railroad company or by any contractor on any railroad, or who shall be in any manner engaged in the construction, repair or operation of any railroad, or in any business incident thereto, whose wages are payable periodically, shall be liable to have any sum which may be due to him from such railroad company, or contractors, or other person, for his wages as aforesaid, attached in the hands of the corporation or person from whom the same may be due, by any garnishee, process or other process whatever, unless as much as two months wages are due to such person.

No employee liable to garnishee or other process.

§ 3. An act entitled "an act for the protection of laborers on railroads," approved March 31, 1855, is hereby repealed, except so much thereof as extends the provisions of said act to other incorporated companies.

To repeal an Act approved March 31, 1855.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, February 28, 1857.

Chap. 28.

Published April 14, 1857.

AN ACT to exempt Libraries from attachment and sale for debt.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. No debtors library, or any part thereof, shall be liable to seizure by virtue of any attachment; execu-

Libraries exempt from seizure for debt.

tion or other process issued from any Court of this State, or from any of the Courts of the United States. The provisions of this act shall not apply to circulating libraries.

To extend to all processes for collection of debts.

§ 2. The provisions of this act shall extend and apply to all process hereinafter issued for the collection of any debts or liability incurred before or after the passage of this act.

§ 3. So much of Section fifty-eight of Chapter one hundred and two as conflicts with the provisions of this act is hereby repealed.

§ 4. This act shall take effect and be in force from and after its passage.

Approved March 2, 1857.

Chap. 29.

Published, April 22, 1857.

AN ACT to amend Chapter 137, of the General Laws of 1856.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Providing for a branch road from Outagamie county to Mich. State.

§ 1. The Wisconsin and Superior Railroad Company are hereby authorized and empowered to survey, locate, contract, complete and perpetually to have used and maintain and operate, a branch railroad, with one or more tracks or lines, over the routes following, viz: Beginning on some point on the line of said road north of the south line of Outagamie county, and running from thence and on the east side of said road to some point on the Michigan State Line; and shall have, exercise, possess and enjoy the same rights, privileges, functions, franchises, authority and immunities with reference to said route, or any railroad to be built thereon as it now possesses or enjoys with reference to any route it is now authorized to occupy, or any railroad built or to be built thereon; and there is hereby conferred upon the Wisconsin and Superior Railroad Com-

pany, all the prwer and authority contained in the charter of said company for the purpose of carrying out the object of this act.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 2, 1857.

Chap. 30.

Published April 16, 1857.

AN ACT for the collection of judgments against towns.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

No execution to issue against towns.

§ 1. No execution shall issue on any judgment against a town, nor shall any suit be brought thereon; but the same shall be collected in the manner hereinafter provided in this act.

Amount of judgement assessed upon taxable property.

§ 2. Whenever an exemplified copy of any final judgment rendered by any Court of this State against any town in this State, together with an affidavit of the Plaintiff in such judgment, his assignee, or his attorney, stating that said judgment has not been reversed, appealed from, or removed to any other Court, or paid or satisfied in whole or in part, shall be filed in the office of the town clerk of the town against which such judgment may have been rendered, it shall be the duty of the town clerk with whom the certificate of the judgment as aforesaid shall have been filed, to proceed to assess the amount thereof with interest from the date of such judgment to the time when the warrant for the collection thereof will expire, upon the taxable property of said town placing the same on the next town assessment and tax roll in a seperate column; and the same proceedings shall be had thereon, and the same shall be collected and returned in the same manner as other town taxes, and shall be paid to the party entitled thereto.

§ 3. This act shall take effect and be in full force from and after its passage.

Approved, March 2, 1857.

Chap. 31.

Published, April 14, 1857.

AN ACT to change the name of John Mewhorter to John Merton

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Name of John Mewhorter changed.

§ 1. The name of John Mewhorter, of the city of Racine, county of Racine, is hereby changed to that of John Merton, by which last mentioned name he shall hereafter be known and recognized in law, and for all purposes whatever.

§ 2. This act shall be in force from and after the first day of February next.

Approved March 2, 1857.

Chap. 32.

Published April 16, 1857.

AN ACT to amend chapter fifty of the session laws of 1850.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Power conferred to indenture Asylum children.

§ 1. The corporation formed under the act to which this is amendatory, by its officers, shall have power to bind out by indenture such children as are or may be placed in said asylums, and who have neither parents nor guardians, or whose parents or guardians are unknown, or absent from the State. Such indenture shall contain the same provisions and covenants as are required by chap. 84 of the Revised Statutes.

Approved, March 2, 1857.

Chap. 33.

Published May 25, 1857.

AN ACT to provide blanks for the use of Inspectors and Clerks of general elections.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec. of State to distribute blanks.

§ 1. It shall be the duty of the Secretary of State to cause a sufficient number of blank statements of the votes cast for State and County officers at the general elections in this State, to be printed and distributed to the Clerks of the Boards of Supervisors of the several Counties in this State, on or before the first day of August in each year.

Blanks to contain oaths and certificates of clerks, etc,

§ 2. There shall be two separate forms of such statements, one for the use of the towns and one for the use of the wards of the several cities in this State; such blanks shall contain the necessary oaths and certificates of the Inspectors and Clerks of elections, and shall also contain a note with directions for filling such blanks.

Sheriff to distribute.

§ 3. Such blank statements shall be distributed to the several town and city Clerks in each County by the Sheriffs of the several Counties, at the time that the notices for the general elections are served upon such town and city Clerks, without additional fees or charges therefor.

Duty of town and city clerks.

§ 4. It shall be the duty of such town and city clerks to furnish the Inspectors of election, in their respective towns and wards with such blank statements at or before the time of opening the polls on the day of the general election. And the said Inspectors of election and the Clerks of election shall use such blanks in all statements of the result of such elections which are required to be made by law.

§ 5. No election or election return shall be in any manner invalidated in consequence of the failure to use any blanks provided for by this act.

§ 6. This act shall take effect from and after its passage.

Approved, March 2, 1857.

Chap. 37.

Published, April 22, 1857.

AN ACT to change the name of Lemuel Preston Richardson to Lemuel Preston Randall.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Name changed and heirship established of L. P. Richardson.

§ 1. The name of Lemuel Preston Richardson of the town of Nepeuskin, in the county of Winnebago, is hereby changed to Lemuel Richardson Randall, by which latter name the said person shall be hereafter called and known in popular nomenclature in law.

§ 2. The said Lemuel R. Randall shall be esteemed and taken in law to be the child and heir at law of Philester Randall, of said county of Winnebago, and the mutual obligations of parent and child shall exist and pertain as fully between the foster parent and foster child mentioned herein, as in the case of natural parentage.

§ 3. This act shall take effect from and after its passage.

Approved, March 2, 1857.

Chap. 38.

Published, April 22, 1857.

AN ACT to repeal Chapter 12, of the General Laws of 1855.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chap. 12, G. L. of 1855, repealed.

§ 1. Chapter twelve of the General Laws of A. D. one thousand eight hundred and fifty-five, entitled an "act to change the name of Anner Morley to Emma Carpenter," approved February 17, 1855, is hereby repealed.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 2, 1857.

Chap. 39.

Published, April 22, 1857.

AN ACT to pay for Stationery.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of five thousand seven hundred and sixty-one 42-100 dollars, to pay for the stationary heretofore purchased and not paid for. The money hereby appropriated to be drawn from the Treasury upon the order of the Governor, and to be paid by him to the persons having such claims against the State, or to the Superintendant of Public Property, upon filing with the Governor their claims receipted in full. Appropriation for stationery.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 4, 1857.

Chap. 40.

Published, March 16, 1857.

AN ACT to provide for a Geological and Agricultural Survey of the State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. James Hall of Albany, N. Y., and Ezra S. Carr and Edward Daniels of Wisconsin, are hereby designated and appointed Commissioners to make a Geological, Mineralogical and Agricultural Survey of the State, embracing a scientific and descriptive survey of the rocks, fossils and minerals of the State, full and complete essays of the ore and minerals, also of the soils and subsoils, with the classification and description of the Commissioners appointed to make survey.

same, and their adaptation to particular crops and the best methods of preserving and increasing their fertility. They shall also make a full collection of the rocks, ores and minerals, and whatever illustrates the economic geology of the State, and deposit the same in the rooms of the State University, or such other place as may be provided for the same, constituting a museum of practical and scientific geology; said Commissioners shall also make full collections of soils, native fertilizers, cultivated and other useful plants, constituting a museum of practical and scientific geology, and deposit the same as aforesaid.

May employ assistants. § 2. Said Commissioners shall arrange and distribute the functions of such survey by mutual agreement, and employ such assistants as may be deemed by a majority of them necessary to carry on the work.

Gov. to make contract. § 3. The Governor of this State shall make a written contract with each of the Commissioners aforesaid, expressly stipulating and setting forth the nature and extent of the service to be rendered by each, and the compensation therefor, including the expenses of the department of the survey under charge of each Commissioner. Such contract shall expressly provide that the compensation to such Commissioner shall be at a certain rate per annum, to be agreed upon, and not exceeding the rate of two thousand dollars per annum, and that payment will be made only for such part of the year as such Commissioner may actually be engaged in the discharge of his duty as such Commissioner.

Provision made for collections. § 4. Should the Board of Regents of the State University neglect to make suitable provision for the accomodation of the collections, it shall be the duty of the Commissioners, with the advice and consent of the Governor, to provide suitable rooms elsewhere in the city of Madison.

Governor to fill vacancies. § 5. In case of a vacancy or vacancies occurring in the commission by this act provided, the Governor shall appoint some suitable person or persons to fill the same, and he may remove any member for incompetency or neglect of duty, after giving such member due notice of the charges against him, and a full opportunity to be confronted with his accusers, and to make his defence.

Appropriation. § 6. To carry out the provisions of this act, the sum of six thousand dollars per annum for the term of six years is hereby appropriated, to be drawn from the

Treasury quarterly on warrants of the Governor, and paid to the persons entitled to receive the same, which sum shall be in full for salaries of Commissioners, Assistants, rent of rooms, and all other expenses incident to said survey, exclusive of printing the annual reports of said Commissioners.

§ 7. This act shall take effect and be in force from and after its passage.

Approved, March 3, 1857.

Chap. 41.

Published, April 14.

AN ACT to change the time for holding the Spring Term of the Circuit Court of Fond du Lac county for the year 1856 [7].

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The Spring Term of the Circuit Court for the [county of] Fond du Lac for the year 1857, shall be holden on the third Monday in April, instead of the fourth Monday in March, as now provided by law. Time changed for holding Circuit Court.

§ 2. This act shall take effect and be in force from and after its passage, and all acts or parts of acts contravening the provisions of this act are hereby repealed.

Approved, March 3, 1857.

Chap. 42.

Published, April 8, 1857.

AN ACT to regulate the Boundaries of La Crosse and Trempeleau Counties.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That towns number twenty-two (22) and twenty-three (23), north of range four (4), five (5) and six (6) west, and towns nineteen (19), twenty (20), twenty-one Boundaries of LaCrosse and Trempeleau regulated.

(21) and twenty-four (24), north of range five (5) and six (6) west, in the county of La Crosse, are hereby attached to and shall hereafter be constituted a part of Jackson County.

§ 2. The main channel of the Black River north of the line, between townships number seventeen and eighteen north, shall hereafter be the boundary line between the counties of La Crosse and Trempeleau, and all that part of La Crosse county, heretofore lying north or west of the said main channel of the Black River, as above described, is hereby attached to and shall hereafter be and constitute a part of Trempeleau county, and all that part of Trempeleau county heretofore lying south or east of said main channel of the Black River, is hereby attached to, and shall hereafter be, and constitute a part of La Crosse county.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, March 3, 1857.

Chap. 43.

Published, April 16, 1857.

AN ACT to authorize the Secretary of State to audit a certain account.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec. of State to audit account of Atwood & Rublee.

§ 1. The Secretary of State is hereby authorized to audit the account of Atwood & Rublee, for furnishing to the Superintendent of Public Property, copies of the Gubernatorial trial in the Supreme Court, in case of Bashford *vs.* Barstow, ordered by resolution of the Assembly, adopted February 7th, 1857. Said account shall be accompanied with a certificate of the Superintendent of Public Property, setting forth the number of copies of said work that were ordered and delivered under said resolution, which account shall be audited by the Secretary of State at the price at which the same work ordered by the last Legislature was audited; and he shall draw a warrant on the Treasury for the

amount of the account, and there is hereby appropriated out of any money in the Treasury not otherwise appropriated, a sum sufficient to pay such warrant.

§ 2. This act shall take effect and be in force from and after its passage

Approved, March 4, 1857.

Chap. 44.

Published, May 27, 1857.

AN ACT to extend the right of Suffrage.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Suffrage extended to male persons of African blood.

§ 1. The right of voting is hereby extended to male persons of African blood who shall have attained the age of twenty-one years or upwards, with the same qualifications and restrictions now imposed upon other voters in Section 1, of article on suffrage in the constitution.

Act submitted to the people.

§ 2. This act, before it takes effect, shall be submitted to the people at a general election to be held on Thuesday next succeeding the first Monday of November, 1857, when, if such majority of votes as is required by the Constitution, be cast for it, it shall be of force and effect under the requirements hereinafter prescribed; but if such majority be not cast for it, shall have no force or effect.

Form of ballot.

§ 3. The form of the ballot to be used on this occasion shall be for the affirmative, "For extention of suffrage," for the negative, "For the extension of suffrage, no" which shall be on the general ballot used at the said election, and deposited in the same box; and all persons qualified by law to vote at any election in this State shall be deemed voters on this question.

§ 4. These votes shall be counted and returned by the Inspectors of the election in all respects as votes for State officers are counted and returned.

§ 5. The officers now designated by law to canvass the returns of votes for State officers shall canvass the returns on this questions at the same place and under the same regulations and restrictions now provided by law for canvassing and declaring the returns of elections for State officers.

Governor to declare result.

§ 6. Within three days after the determination of such canvass it shall be the duty of the canvassers to certify the result of the said canvass to the Governor, who shall thereupon without delay make proclamation of the result, and publish the same daily and weekly for two weeks in all newspapers printed in the State, when if the result shall be in favor of the extension of suffrage, this act shall immediately after such publication be of force and effect, but if not in favor of it, then this act shall have no force or effect.

§ 7. This act, immediately after its passage, shall be published, and at least three months previous to said general election, the Secretary of State shall send, or cause to be sent, a correct copy of it to every newspaper in the State, which newspaper, upon the publication of the same, shall be entitled to pay for the same out of the State Treasury at the rates paid for other legal advertising.

Approved, March 4, 1857.

Chap. 45.

Published, April 14, 1857.

AN ACT to exempt certain property therein named from taxation.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Property of Agricultural Societies exempt from taxation.

§ 1. That all property, real and personal, held and belonging to any Agricultural Society in this State, when organized under the provisions of an act entiled "an act for the encouragement and promotion of agriculture," passed May 14th, 1856, and also Chapter 110 amendatory thereof, and all Agricultural Societies that

may be organized by any special act of the Legislature, are hereby declared exempt from taxation.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 4, 1857.

Chap. 46.

Published, April 22, 1857.

AN ACT to provide for holding the Spring Term of the Circuit Court for the county of Sheboygan.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

4th Judicial Circuit Court may be held on Monday, March 2, '57.

§ 1. A term of the Circuit Court of the 4th Judicial Circuit for the county of Sheboygan, may lawfully be held on the second Monday of March A. D. 1857, anything in "an act to change the time of holding courts in the several counties within the 4th Judicial Circuit," approved February 23rd, 1857, to the contrary notwithstanding, but thereafter said court in said circuit, shall be held on the days fixed in said act, approved February 23, 1857.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 4, 1857.

Chap. 47.

Published, April 21, 1857.

AN ACT to change the names of certain persons therein named.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Change name of Walter Swedingson.

§ 1. The name of Wettle Sweningson, of the city of Madison, Dane county, is hereby changed to William Swain, by which name he shall hereafter be known in law, in all courts and places.

Change name of John Mians.

§ 2. The name of John Mians, of the town of Dunn, Dane county, is hereby changed to John M. Selden, by which name he shall hereafter be known in law, and for all purposes whatever.

Change name of Ida Catharine Helm.

§ 3. The name of Ida Catharine Helm, of the town of Reedsburgh, Sauk county, is hereby changed to that of Ida Catharine Butler, and by the last mentioned name shall be known in all courts and places.

Establishing heirship.

§ 4. The said Ida Catharine Butler shall be known as the adopted daughter and heir of John Butler, and his wife Susan Butler, of the town of Winfield, in said county of Sauk, and entitled to all the rights and privileges, and subject to all the duties of inheritance, support and maintenance, as fully and effectually, and in the same manner as she might or should be if she were the legitimate child of said John Butler and Susan Butler.

§ 5. The provisions of section four of this act shall not take effect or be in force until the said John Butler and Nancy Helm, mother of said child, shall each irrevocably assent thereto in writing, under their hands and seals, and record the same in the office of the Judge of Probate in and for the county of Sauk.

Change name of Martin Calliman.

§ 6. The name of Martin Calliman, of Crawford county, is hereby changed to that of Martin Calliman Frost, by which name he shall be hereafter known in all courts and places.

Change name of George Smith.

§ 7. The name of George Smith is hereby changed to George Smith Carey, by which name he shall hereafter be known in all courts and places.

Heirship established.

§ 8. The said George Smith Carey shall be known as the adopted son and heir at law of George A. Carey, and his wife, Eliza A. Carey, of Madison, Dane county, and be entitled to all the rights and privileges, and subject to all the duties of inheritance, support and maintenance as fully and effectually, and in the same manner as he might or should be, if he were the legitimate child of said George A. and Eliza A. Carey.

Thomas Lynder authorized to adopt Norman W. Smith.

§ 9. Thomas Lynder, of the town of Reedsburgh, in the county of Sauk, is hereby authorized to adopt the infant son of Norman W. Smith, of the county of Adams, in accordance with the terms of a written indenture or agreement made by and between the said Thomas Lynden and Norman W. Smith, bearing date, May 2d, 1856.

§ 10. The name of James S. Smith Smith is hereby

changed to James S. Lynden, by which name he shall hereafter be known in all courts and places.

Change name of Hiram T. Bates.

§ 11. The name of Hiram C. Bates, son of Kimball Bates, is hereby changed to George T. West, by which name he shall be hereafter known in all courts and places.

Change name of Jane Stinson.

§ 12. The name of Jane Stinson, of Kingston, Marquette county, Wisconsin, is hereby changed to Mary Jane Kingsbury, by which name she shall hereafter be known in all courts and places.

Heirship established.

§ 13. The said Mary Jane Kingsbury shall hereafter be known as the adopted daughter and heir at law of C. M. Kingsbury and his wife Mary J. Kingsbury, of Kingston, Marquette county, and entitled to all the rights and privileges, and subject to all the duties of inheritance, support and maintenance, as fully and effectually and in the same manner as she might or should be, if she were the legitimate child of said C. M. and Mary J. Kingsbury.

Change name of Charles Sand.

§ 14. The name of Charles Sand, of the city of Milwaukee, is hereby changed to that of Charles Hebenstriet, and by the last mentioned name he shall be hereafter known and recognized for all purposes whatever.

Heirship established.

§ 15. The said Charles Hebenstriet shall be known as the adopted son and heir of Adam Hebenstreit, of said city of Milwaukee, and be entitled to all the rights and privileges and subject to all the duties of inheritance, support and maintenance as fully and effectually, and in the same manner as he might or should be, if he were the legitimate child of the said Adam Hebenstreit and Eva Hebenstriet.

Change name of Sarah A. Long.

§ 16. The name of Sarah Ann Long of the town of Whitewater, in Walworth, county, is hereby changed to Sarah Ann Caswell, by which name she shall hereafter be known in all courts and places.

Change name of Julius Leithaneser

§ 17. The name of Julius Leithaneser, of the town of Hermann, in the county of Sheboygan, is hereby changed to that of Julius Buscher Leithaeuser, by which name he shall hereafter be known in law, and in all courts and places.

Heirship established.

§ 18. The said Julius Buscher Leithaneser shall be known as the adopted son and co-heir of Charles Buscher senior, of said town of Hermann, and of Caroline Buscher, his wife. And the said Julius shall be entitled to all the duties of inheritance, support and main-

tenance under and by the law of this State, in all respects as fully and effectually, and in the same manner as he might or should be, if he were the legitimate child of said Charles Buscher senior, and said Caroline Buscher, his said wife.

Assent required.

§ 19. The provisions of Section eighteen of this act shall not take effect or be in force and applicable to the case therein provided for, until the said Charles Buscher senior, and the said Caroline Buscher, his wife, shall each irrevocably assent thereto in writing under their hands and seals, and record the same in the office of the Judge of Probate in and for the said County of Sheboygan.

§ 20. This act to take effect and be in force from and after its passage.

Approved, March 4, 1857.

Chap: 48.

Published April 15, 1857.

AN ACT to provide for payment for the Reports of the Supreme Court, for the year of our Lord one thousand eight hundred and fifty-five.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Governor to audit account for Supreme Court reports.

§ 1. The Governor of the State is hereby authorized and required to audit the account of the reporter, for two hundred copies of the Supreme Court reports, for the year eigteen hundred and fifty-five, at the usual publisher's prices, as soon as said copies shall be delivered at the State Library.

§ 2. That the sum so audited and allowed shall be paid out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall be in force from and after its passage and publication.

Approved, March 4, 1857.

Chap. 49.

Published April 14, 1857.

AN ACT to authorize the publication of the Banking Law in pamphlet form.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

To print pamphlet.

§ 1. The Bank Comptroller is hereby authorized to have printed in pamphlet form five thousand copies of the Banking Law and other laws relating to banking, with an appendix of forms for the organization of Banks, and the same, when printed, shall be placed in the Bank Comptroller's Office, for distribution.

Expenses how paid.

§ 2. The expenses attending the printing of said copies shall be certified by the Bank Comptroller to the Secretary of State, who shall audit and draw his warrant on the State Treasurer for the payment of the same.

Approved, March 4, 1857.

Chap. 50.

Published, April 14, 1857.

AN ACT for the encouragement and promotion of Agriculture and the Mechanic Arts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Of levying a tax

§ 1. The County Board of Supervisors of the different counties in this State, are hereby authorized to levy a tax upon the taxable property of their respective counties annually, not exceeding the sum of four hundred dollars in any one year, for the purpose of encouraging and promoting Agriculture and the Mechanic Arts.

How collected.

§ 2. Said tax shall be levied and collected in the same manner as other taxes are, and when collected,

shall be paid over to the Treasurer of the Agricultural Society of said county on his application for the same.

Money how disposed of.

§ 3. All moneys so received shall be expended under the direction of the proper officers of said society in the purchase of suitable grounds, erecting buildings, fencing and improving the same, for the use of said society, as provided in Chap. 74, Sec. 7, of the General Laws of 1856.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, March 4, 1857.

Chap. 51.

Published May 1, 1857.

AN ACT for the protection of birds in public cemeteries and burying grounds, and other places.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

How punished.

§ 1. Any person who shall kill or wound or trap any bird within any cemetery or public burying ground, or who shall destroy any birds' nests or remove the eggs or the young birds therefrom shall be deemed guilty of a misdemeanor, punishable by a fine of five dollars for every bird killed, wounded or trapped, and for every bird's nest destroyed, or eggs or young birds removed, recoverable in any Justices court within the county where the offence has been committed, to be sued for by any person making the complaint. The penalty to be disposed of in accordance with the provisions of the Constitution of the State of Wisconsin.

Penalty for not paying fine.

§ 2. In case the offender after conviction shall not pay the fine with the costs of prosecution, the Justice shall commit him to the common jail of the county for the space of thirty days, unless the fine and costs shall be sooner paid.

Penalty, for injuring fences, monuments or buildings.

§ 3. Any person who shall maliciously or wantonly destroy, injure or deface any monument or work of art, building, fence, or other structure, or destroy or injure

any ornamental tree, shrub or plant, whether situated on any private ground, or on any street, public place, public or private way or cemetery, shall be deemed guilty of a misdemeanor, and upon conviction before any Justice of the Peace of the county wherein the offence was committed, shall be punished by fine not exceeding fifty dollars, or by imprisonment in the county jail not exceeding six months, or both. Every such person shall moreover be liable, either before or after conviction, to an action in favor of any party injured, in which action damages may be recovered to five times the amount of actual damages sustained. Further liabilities.

§ 4. This act is declared to be a public act and shall take effect immediately.

Approved, March 5, 1857.

Chap. 52.

Published, April 11, 1857.

AN ACT to authorize the collection of Agricultural, Mineral and Manufacturing Statistics.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. It shall be the duty of the assessors of the several towns and cities in this State, at the time of making the annual assessments of real and personal property, to collect the statistics in their several towns and cities, of all the agricultural, mineral, and manufacturing interests carried on in their respective towns and cities and make return of the same to the clerk of the county board of supervisors, on or before the first Monday of August in each year. Collection of Statistics.

§ 2. It shall be the duty of the Secretary of State, on or before the fifteenth day of April in each year, to furnish to the clerks of the county board of supervisors of the several counties of this State, a sufficient number of blank forms for taking said statistics, said form to be as follows: Sec'y of State to furnish blank forms.

APPLES—bushels, valuation.

BARLEY—acres, bushels, valuation.
BEANS AND PEAS—acres, bushels, valuation.
BOOTS AND SHOES—pairs, valuation.
BUCKWHEAT—acres, bushels, valuation.
BUTTER—pounds, valuation.
CATTLE AND CALVES—on hand—number, valuation.
Do. slaughtered do. do.
CHEESE—pounds, valuation.
CLOVER SEED—pounds, valuation.
COPPER ORE—tons, valuation.
CORN—acres, bushels, valuation.
COTTON GOODS—yards, valuation.
FLAX—pounds, valuation.
GRAPES—pounds, valuation.
HAY—acres, tons, valuation.
HEMP—pounds, valuation.
HOGS—on hand—number, valuation.
Do. Slaughtered—number, valuation.
HORSES AND MULES—number, valuation.
IRON, PIG—pounds, valuation.
LEAD—smelted—valuation.
Do. raised—valuation.
OATS—acres, bushels, valuation.
PAPER—reams or pounds, valuation.
POTATOES—acres, bushels, valuation.
RYE—acres, bushels, valuation.
SHEEP AND LAMBS—on hand—number, valuation.
Do. Slaughtered—number, valuation.
SUGAR—pounds, valuation.
TIMOTHY AND OTHER GRASS SEED—bushels, valuation.
WHEAT—acres, bushels, valuation.
WHISKEY—gallons, valuation.
WINE—gallons, valuation.
WOOL—pounds, valuation.

§ 3. It shall be the duty of the Clerks of the County Board of Supervisors to furnish each town or city Assessor, with a blank form, on or before the fifteenth day of May in each year.

Transmission of returns.

§ 4. It shall be the duty of the Clerk of the Board of Supervisors, in the several counties annually, on or before the first Monday of September, to transmit to the Secretary of State a copy of the foregoing returns.

Sec'y of State to report returns to Legislature.

§ 5. It shall be the duty of the Secretary of State to prepare and report to the Legislature annually, a tabular statement of all the agricultural, mineral, and manufacturing products of each county, as shown by the

reports required by the first section of this act, and he shall also transmit a copy of the same to the Commissioner of patents.

§ 6. This act shall be in force from and after its passage.

Approved, March 5, 1857.

Chap. 53.

Published May 1, 1857.

AN ACT to appropriate certain sums of money to the Wisconsin Institution for the Education of the Deaf and Dumb.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation for current year.

§ 1. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, to the Wisconsin Institution for the Education of the Deaf and Dumb the sum of twelve thousand dollars for the support of said Institution during the current year.

For improvements.

§ 2. There is hereby in like manner appropriated to the said Institution the further sum of four thousand five hundred dollars for the purpose of improving the grounds belonging to the Institution, purchase another piece of land, building fences, shops and out buildings and for the general improvement of the premises.

For liquidating debts.

§ 3. There is hereby in like manner appropriated to said Institution the further sum of three thousand dollars for the purpose of liquidating the debts now existing against the Institution.

For completing central building.

§ 4. There is hereby in like manner appropriated to said Institution the further sum of fifteen thousand dollars for the purpose of putting up and finishing off the main or center building of the Institution according to the plan now on file with the Governor of this State. Which sum of fifteen thousand dollars shall be paid the present year out of any money in the Treasury not otherwise appropriated.

Board of Trustees to give bonds.

§ 5. Before the receipt of the respective sums of money appropriated by this act, the Board of Trustees

of said Institution shall from time to time execute such bonds and with such sureties as the Governor may require and approve, conditional for the faithful application of such moneys to the objects specified in this act.

§ 6. This act shall take effect and be in force from and after its passage.

Approved, March 5, 1857.

Chap. 54.

Published, March 19, 1857.

AN ACT to prevent trespasses on the swamp and overflowed lands in this State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Gov. to cause survey.

§ 1. The Governor of the State is hereby authorized and empowered to cause to be surveyed the Islands in the Mississippi and Wisconsin Rivers, and the unsurveyed lands adjacent to said rivers, belonging to this State, granted by act of Congress, approved 28th September, A. D. one thousand eight hundred and fifty, entitled "an act to enable the State of Arkansas and other States to reclaim the swamp lands within their limits," and to do all other things he may deem necessary to obtain from the United States the patents for the lands situated in such islands belonging to this State.

Statute revived.

§ 2. Sections three, four, five, six, seven, eight and nine of chapter eighty-four of the Session Laws of A. D. 1855, are hereby revived and declared in full force and effect.

Parol testimony admitted.

§ 3. In all prosecutions, actions and suits brought under the provisions of this act, for trespasses committed on any of the swamp and overflowed lands granted to this State by the act of Congress aforesaid, whether said lands be surveyed or unsurveyed, or whether said lands have been selected and patented to this State or remain unselected and unpatented to this State, parol testimony may and shall be admitted to prove such lands, swamp and overflowed lands, made unfit thereby

for cultivation and to belong to the State of Wisconsin.

Gov to seize timber, &c., taken by trespassers.

§ 4. The Governor is hereby authorized and empowered to cause to be seized and sold at public auction any and all timber, logs and wood cut upon or removed from any swamp and overflowed lands belonging to this State, by persons trespassing thereon, whether such lands have been surveyed or remain unsurveyed, and whether such lands have been selected or remain unselected, and whether such lands have been patented to this State or remain unpatented.

Same provisions to apply to unsurveyed lands.

§ 5. All the provisions of sections three, four, five, six, seven, eight and nine of chapter eighty-four of the session laws of A. D. 1855 shall have force and be applicable to the unsurveyed and unselected swamp and overflowed lands belonging to this State in the same manner as to the selected swamp and overflowed lands.

Monies arising from fines.

§ 6. All monies arising from fines recovered under this act, as also all monies received on sales of any timber, logs and wood sold by virtue of this act shall be paid into the State Treasury for the use of Common Schools.

Concurrent jurisdiction over the Wisconsin river.

§ 7. For the purpose of carrying out this act and the provisions thereof, concurrent jurisdiction over the whole width of the Wisconsin River, and the islands therein, is hereby given to each of the counties, bordering on and opposite to any of the islands aforesaid; and all suits and prosecutions for any trespasses on any of the islands in said Wisconsin river may be instituted and maintained in either county bordering on said river and opposite to the lands trespassed on.

§ 8. This act shall take effect and be in force from and after its passage.

Approved, March 5, 1857.

Chap. 55.

Published, April 1, 1857.

AN ACT for the consolidation of Rail and Plank Roads in the State of Wisconsin.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

May consolidate.

§ 1. That all Railroad Companies and Plankroad Companies now organized, or hereafter to be organized, which now have, or hereafter may have, their termini fixed by law, whenever their said road or roads intersect by continuous lines, be and the same are hereby authorized and empowered to consolidate their property and stock with each other, and to consolidate with companies out of this State, whenever their lines connect with the lines of such company out of this State.

When.

§ 2. Such consolidation may take place whenever the said Companies shall respectively agree upon the terms and conditions of the same, and the said Companies when so consolidated, shall be authorized to agree upon the name or names of such consolidated Company, and by such name or names the said consolidated Company shall be a body corporate and politic, shall have a common seal or seals, and by such name or names shall be respectively contracted with and make contracts, shall sue and be sued, implead and be impleaded with, and shall have all the powers, franchises and immunities which the said respective Companies shall have by virtue of their respective charters, before such consolidation passed within the State of Wisconsin; *Provided:*

Proviso.

That each consolidated Company shall file for record in the office of the Secretary of State, a copy of their said articles of consolidation, evidenced by the signature of the presiding officer of each of said Companies, and the corporate seal thereof.

Powers.

§ 3. The Corporation or Corporations formed by virtue of the provisions of this act, shall have power to increase their capital stock to any amount required by resolution of their respective Boards of Directors, not exceeding the amount of the costs of the roads and works constructed and equipped by them; to borrow money and fix the rate of interest therefor; to issue bonds, and the same to sell at such price as they may

deem expedient, such sales being hereby authorized and confirmed; and to make any other contracts authorized by the by-laws of the said Corporation or Corporations within the purview of their said charters.

Further consolidations.

§ 4. Such Corporation or Corporations, when so formed, shall have the same power to consolidate with other Companies when their lines connect, upon such terms as may be agreed upon by them respectively.

Restriction.

§ 5. No Company in this State shall be authorized under the provisions of this act, to consolidate with any Company beyond the limits of the State, until the termini of such Company in the State shall first have been fixed by the laws of this State at the boundry line thereof.

Construction of this act.

§ 6. This act shall not be so construed as to authorize any Plankroad not having power to build a Railroad, to consolidate with any Railroad, so as to lay a Railroad upon any Plankroad track, until the termini of such Railroad shall have been expressly fixed by law; nor shall any Plank roads so consolidate with any Railroad unless authorized by law to lay a Railroad track.

Proceedings to be regulated by by laws of Companies.

§ 7. All proceedings for the purpose of consolidation as above provided, shall be fixed and regulated by the by-laws of the respective Companies desiring such consolidation; *Provided*, That such consolidation shall not take place until the terms of such consolidation shall have been approved by a majority of the stockholders in interest, in person or by proxy, at an annual or called meeting, of which due notice shall be given by publication or in writing to all stockholders interested, or the same be approved by the written consent of a majority of the stockholders in interest filed in the office of the Company.

Railroads across streams, &c.

§ 8. When it shall be necessary for the construction of any Railroad to cross the track of any other Railroad, stream of water, water course, road or highway, which it may intersect or cross by reason of such extension, into or through any adjoining State, or by reason of its consolidation with any other road or roads, Company or Companies, as provided in this act, it shall be lawful for said Company to construct their road across or over the same by such track or tracks, bridge or bridges, viaduct or viaducts, as may be necessary to the convenience of the extension or consolidation of said road; *Provided:* Said Company shall restore the railroad, stream of water, water course, road or highway, thus intersected or crossed, to its former

Proviso.

state, or in a sufficient manner not materially to interfere with its usefulness.

§ 9. This act shall take effect from and after its passage.

Approved, March 5, 1857.

Chap. 56.

Published May 1, 1857.

AN ACT to appropriate to the Wisconsin Institute for the education of the Blind certain sums of money therein named.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation.

§ 1. There is hereby appropriated to the Wisconsin Institute for the Education of the Blind the sum of seven thousand dollars for the support of said Institute from the first day of January 1858 to the first day of January 1859, to be levied and collected in the State tax of 1857 and paid to said Institute in the year 1858.

For the main building.

§ 2. There is hereby appropriated the further sum of twelve thousand dollars out of any money in the Treasury not otherwise appropriated for the completion of the main building of said Institute according to the plan of the same.

For workshops, &c.

§ 3. There is also appropriated the further sum of three thousand dollars out of any money in the Treasury not otherwise appropriated for the erection of suitable workshops and furnishing the same with tools, implements and materials.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, March 5, 1857.

Chap. 57.

Published, March 11, 1857.

AN ACT concerning pre-emptors of Swamp and Overflowed Lands of this State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Any resident of the State of Wisconsin who at the date of the passage of this act resides upon, or is in the actual occupancy of any of the swamp and overflowed lands in this State, and has improvements thereon to the value of ten dollars per forty acres, and used for agricultural purposes, shall have the right to purchase said lands at the minimum price of one dollar and twenty-five cents per acre, whenever the same shall be offered for sale, upon the terms and conditions prescribed in chapter 84 of the session laws of 1855, and the provisions of this act shall extend to all islands in the Mississippi and Wisconsin Rivers, and all other lands which now belong to this State under the act of Congress of 28th of September, A. D. 1850, entitled "an act to enable the State of Arkansas and other States to reclaim the swamp and overflowed lands within their limits," or an act conferring the title of this State to said lands, whether said lands have been surveyed or patented or not; and the time for filing the certificate with the Register of Deeds, as described in section 11, chapter 84, of the General Laws of 1856, hereby extended to the first day of July A. D. 1857, as to those lands surveyed and patented before that time, and all lands not surveyed and patented before that date, the times for filing said certificate is extended to ninety days from the time of the return to the office of said Register of Deeds, of the descriptive lists of said lands by the Governor, as required by section 1, of chapter 84, of Session Laws of 1855; and it is hereby made the duty of the Governor to forward to the Register of Deeds of the respective counties, complete descriptive lists of all lands which may hereafter be patented to this State, in pursuance or in confirmation of said act, as soon as practicable after the patents are received.

Rights of occupants.

Scope of the act.

Governor to forward descriptive lists.

§ 2. Section 13, of chapter 84, of General Laws of 1855, is hereby revived and extended to all cases con-

Statute revived.

templated by this act; and any claimant of unsurveyed or unpatented lands, may describe the same by metes and bounds, carefully defined, and in addition to the certificate referred to in section one of this act, parol evidence shall be received that said lands are swamp or overflowed lands.

Price of land.

§ 3. Section 6 of chapter 125, of General Laws of 1856, is hereby amended by striking out the words "five dollars per acre" in the second line, and inserting in lieu thereof, the words "one dollar and twenty-five cents per acre."

§ 4. Nothing herein contained shall be construed to prevent the sale of any of the aforesaid lands at public sale, where the right of pre-emption has not been proved up, ten days previous to any such sale.

§ 5. This act shall take effect from and after its passage.

Approved, March 5, 1857.

Chap. 58.

Published May 11, 1857.

AN ACT to extend the time for the payment of principal and interest due the school fund of this State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Time extended.

§ 1. The time is hereby extended to the ninth day of the present month, for the payment of principal and interest due the school fund of this State: *Provided*,

Proviso.

This extension of the time shall apply to the present year only; and the State Treasurer shall in making his statement of moneys to be apportioned by the State Superintendent of Schools, include all income received of school moneys up to and including the said ninth of March.

§ 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1857.

Chap. 59.

Published May 2, 1857.

AN ACT to provide for the annual appointment of a joint committee on claims.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Election of Committee.

§ 1. A joint standing committee consisting of three members from the Senate and five from the Assembly to be called "A Committee on Claims" shall be elected or appointed at the commencement of each annual session of the Legislature in such manner as other committees are elected or appointed.

§ 2. All bills, accounts, or bills appropriating money presented to the Legislature, shall be referred to said committee before being allowed.

Committee to keep a record.

§ 3. Such committee shall record in a book kept for that purpose, a brief statement of the nature and amount of all bills, accounts, and bills of appropriation referred to them, together with the disposition made of the same, and when claims are rejected, a statement of reasons for such rejection.

The record to be deposited with Sec. of State.

§ 4. The book of record of the Committee on Claims shall at the close of each session of the Legislature be deposited by the chairman of such committee in the office of the Secretary of State, whose duty it shall be to deliver the same to the Committee on Claims of the next succeeding Legislature.

§ 5. Such committee is hereby authorized to employ a clerk when necessary.

Com. on Claims to keep a record.

§ 6. The chairmen of the committee on claims in Senate and Assembly, are hereby required to deposite in the office of the Secretary of State, the records of accounts kept by them during the present session of the Legislature.

Approved, March 6, 1857.

Chap. 60.

Published, May 11, 1857.

AN ACT to authorize the Secretary of State to audit certain accounts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec'y authorized to audit certain accounts.

§ 1. The Secretary of State is hereby authorized to audit and allow the account of W. H. Arthur & Co. for enrolling paper, and lithographing, dated on the 12th day of December 1856, upon the correctness of the same being properly verified by affidavit, and the sum of two hundred and twenty-six dollars and seventy-five cents, is hereby appropriated for the payment of said account, from any money in the State Treasury not otherwise appropriated.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 6, 1857.

Chap. 61.

Published, April 16, 1857.

AN ACT in relation to the duty of Secretary of the State as Auditor.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The ninth, tenth and eleventh subdivisions of section 19, chapter 9, of the Revised Statutes, is hereby amended to read as follows:

Duties as auditor

§ 9. To examine and determine the claims of all persons against the State in cases where provision for the payment thereof shall have been made by law, and to endorse upon the same a certificate of the amount due and allowed thereon, and from what fund the same is to be paid. He shall certify the same to the State Treasurer, specifying the name of the person in whose favor such account shall be audited, the amount

allowed and from what fund the same is payable and he shall report to the Legislature annually, a complete list of all accounts so audited and certified: *Provided*, That no account shall be so audited, except the same be duly verified by the oath, affidavit, or affirmation of the claimant or his agent, together with the certificate of the officer ordering or making the claim. Proviso.

§ 10. To enter in a book to be kept for that purpose a record of all accounts audited by him and certified by the State Treasurer, pursuant to the last subdivision of this act, showing the name of the claimant, the amount claimed and the amount allowed thereon certified to the Treasurer, specifying the fund from which the same is to be paid. To keep a record.

§ 11. To require every person who shall have received any money, property or goods belonging to the State, and shall have not accounted therefor to settle their accounts and to return such property or goods to the State. Other duties.

Approved, March 6, 1857.

Chap. 62.

Published, April 8, 1857.

AN ACT reviving and restoring an act entitled "an act in relation to mills and mill dams."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. So much of the revised statutes as repeals an act entitled "an act in relation to mills and mill dams," approved January 13, 1840, is hereby repealed and the said act is hereby revived and declared to be in full force and effect. Reviving territorial act.

§ 2. Wherever in said act hereby revived Territory is used, it shall be construed to mean State, and the words "district court" in said act shall be construed to mean Circuit Court. Construction.

§ 3. This act shall not in any manner effect any suit now pending nor rights heretofore accrued, but it shall Not to effect pending suits.

extend as far as applicable to all cases where compensation has not been made for damages sustained by the erection of any dam now maintained, or where the height to which the water may be raised has not been settled by contract with the owner or otherwise pursuant to law.

Acts to be published together.

§ 4. The above named act which is revived by this act shall be published in connection with this act, otherwise this act shall have neither force or effect.

Approved, March 6, 1857.

[See page 87, Enrolled Acts of 1839–40.]

[No. 48, Laws of 1840.]

AN ACT in relation to mills and mill dams.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin, as follows:

May erect on streams not navigable.

§ 1. Any person may erect and maintain a water mill, and a dam to raise water for working it, upon and across any stream that is not navigable, upon the terms and conditions, and subject to the regulations hereinafter expressed.

Must not interfere with other mills.

§ 2. No such dam shall be erected, to the injury of any mill lawfully existing, either above or below it on the same stream, nor to the injury of any mill site on the same stream on which a mill or mill dam shall have been lawfully erected and used, or is in the process of erection, unless the right to maintain a mill on such last mentioned site, shall have been lost or defeated, by abandonment or otherwise, nor shall any mill or dam be placed on the land of any person, without such grant, conveyance or common laws, if no provisions relating to mills had been made by statute.

Height of water.

§ 3. The height to which water may be raised, and the length or period of time, for which it may be kept up in each year, shall be liable to be restricted and regulated by the verdict of a jury, as hereinafter provided.

Overflowed lands

§ 4. Any person whose land is overflowed or otherwise injured by such dam, may obtain compensation therefor upon his complaint, before the District Court, for the county where the land or any part thereof lies: *Provided*, That no compensation shall be awarded for any damage sustained, more than three years before the institution of the complaint.

Complaint.

§ 5. The complaint shall contain such a description of the land, alleged to be flowed or injured and such a statement of the damage, that the record of the case shall show, with sufficient certainty, the matter that shall have been heard and determined therein.

Complaint to be filed and notice served.

§ 6. The complaint may be filed in the court in term time, or in the Clerk's office, in vacation, and in either case, notice thereof shall be given to the owner or occupants of the mill, by delivering to him or by leaving at his dwelling house an attested copy of said complaint, or, if he is not to be found in the territory, and has no dwelling house therein, then, by leaving such copy at the mill in question, or the complainant may twenty days, at least before the sitting of the court at which his complaint may be brought, cause the owner or occupants of such mill or dam, to be served with an attested copy of the complaint, by delivering or leaving such copy in like manner as when the complaint is filed as aforesaid.

Service of notice.

§ 7. The notice shall be given twenty days at least, before the term, at which the complaint is to be heard, and it shall be served by any officer who is authorized to serve any other civil process between the same parties.

Plea in bar.

§ 8. The respondent may plead in bar of the complaint, that the complaint has no estate or interest in the land alleged to be flowed or injured, or that the respondent has a right to maintain his dam, for an agreed price, or without any compensation, or any other matter, which may show that the complainant cannot maintain the suit, but he shall not plead in bar of the complaint that the land therein described is not injured by such dam.

Form of trial.

§ 9. If any plea is filed by the respondent, the replication and other pleadings, and the trial of the issue, whether of law or of fact, shall be conducted in like manner as in actions at the common law.

Costs to issue for defendant.

§ 10. If any such a plea, the issue is decided in favor of the respondent, or if in any stage of the proceeding the complainant shall become non suit, or shall discontinue his suit, the respondent shall be entitled to his costs, to be taxed as in common civil actions.

Issue for complainant.

§ 11. If the issue is decided in favor of the complainant, or if the owner or occupant of the mill or dam, shall after due notice, neglect to appear, or shall be defaulted, or if there be no plea in bar, and no other legal

objection to the proceeding, the Court shall without any further pleadings in the case, issue a venue for a jury to hear and determine the matter of complaint.

Appeal. § 12. Either party may appeal to the Supreme Court from the judgment of the District Court, upon any such plea in bar, and the cause shall be there heard and determined as it ought to have been in the District Court, except that if the judgment of the Supreme Court in such case, shall be in favor of the complainant, the case shall be remanded to the District Court, who shall proceed therein in like manner, as if such judgment had been rendered in that court.

Damage. § 13. The jury, in estimating the damage to the land of the complainant, shall take in consi eration any damage, occasioned to his or her land by the dam, as well as the damage occasioned to the land overflowed, and they shall also allow by way of set off, the benefit, if any, occasioned by such dam to the complainant in relation to his said lands.

Verdict for deft. § 14. If the jury shall find that the complainant is not entitled to recover any damages, they shall return their verdict accordingly, and if it is allowed and recorded by the court, judgment shall be rendered thereon for the respondent.

Verdict for com. § 15. If the jury find that the complainant is entitled to recover any damages, they shall assess the amount of such damages, sustained within three years next preceding the institution of the complaint, and down to the time of rendering the verdict; and if the verdict is allowed and recorded by the court, the complainant shall have judgment and execution.

Dam to be lowered. § 16. If it shall be alleged in the complaint, that the dam is raised to an unreasonable height, or that it ought not to be kept up and closed during the whole year, the jury shall decide how much, if any, the dam shall be lowered, and also whether it shall be left open any part of the year, and if any, what part, and shall state such decision as a part of their verdict.

Computation of damages. § 17. The jury shall also ascertain and determine, by their verdict, what sum, if any, to be paid annually to the complainant, would be a just and reasonable compensation for the damages that shall be thereafter occasioned by the dam, so long as it shall be used in conformity with the verdict, and also what sum in gross would be a just and reasonable compensation for all the damages to be hereafter [thereafter] occasioned by

such use of the dam, and for the right of maintaining and using the same forever in the manner aforesaid.

Election of com't. to take damages in gross or yearly

§ 18. The complainant in such case, at any time within three months after the verdict is allowed and recorded, may elect to take the sum in gross so awarded by the jury, for the right to maintain and use the same forever, instead of receiving the annual compensation therefor; and if he shall make such election, he shall within the said three months, cause the same to be entered on the record of the case in the Clerk's office.

Damage in gross to be paid in 3 months after election.

§ 19. The owner or occupant of the mill or dam in such case, shall within three months after such election is entered on the record, pay to the complainant, or secure to his satisfaction, the sum so due, for the perpetual right to maintain the dam, with interest from the time of verdict; and after the expiration of said three months, such owner or occupant shall lose all benefit of the provisions contained in this act, until the payment of said damages and interest.

Annual compensation.

§ 20. If the complainant shall not within the said three months, cause an entry of his election to be made on the record as before provided, he and all persons claiming under him, shall be entitled to demand and receive from whoever shall be the owner or occupant of the mill, the annual compensation so established by the jury, so long as the dam shall be kept up and maintained, unless the sum due in that behalf, shall be increased or diminished upon a new complaint as hereinafter provided.

Lien for compensation.

§ 21. The person who shall be entitled to receive the said annual compensation or gross damages, shall have a lien therefor from the time of the institution of the original complaint, on the mill and mill dam, with their appurtenances, and the land under and adjoining the same and used therewith; *Provided:* That such lien shall not extend to any sum due more than three years before the commencement of an action therefor.

Action for compensation.

§ 22. The party entitled to the said annual compensation or gross damages, may maintain an action of assumpsit or debt therefor, in the District Court, against the person who shall own or occupy the mill where [when] the action is brought, and shall therein recover the whole sum due and unpaid for the three years then last past whoever may have owned or occupied the mill during that time, and the plaintiff shall be entitled to his full costs in such suit.

Execution.

§ 23. The execution issued on such judgment, if not otherwise satisfied, may at any time within thirty days after the judgment is rendered, be levied on the premises so subject to the lien, and the officers may thereupon proceed to sell the same, or so much thereof as shall be necessary to satisfy the execution and all charges of levying it.

Sale.

§ 24. Such sale shall be valid and effectual against all persons claiming the premises, by any title that shall have accrued within the time covered by the lien.

Redemption.

§ 25. Any person entitled to the premises sold as aforesaid, may redeem the same at any time within one year after the sale, upon paying to the purchaser, or the person holding under him, the sum paid therefor, with interest thereon, at the rate of twelve per cent a year.

§ 26. The provisions of this act shall not effect the right to keep up, maintain, and use any water mill and mill dam now lawfully existing, except as herein expressly provided.

Verdict as in other cases.

§ 27. Every verdict rendered in any proceeding under this act shall be under the control of the court, to which it is returned in like manner as in trial at the common law, and may be set aside for any sufficient cause; and in such cases a new trial shall be had upon a new venire or otherwise, as the case may require.

No action at common law.

§ 28. No action shall be sustained at common law for the recovery of damages for the erecting, maintaining or using any mill or mill dam, except as provided in this act.

Costs.

§ 29. The party prevailing, in any suit under this act shall be entitled to his full costs, unless where it is otherwise expressly provided.

§ 30. All necessary costs and charges at the commencement of the suit, shall be advanced by the complainant, and shall be taxed and allowed in the bill of costs, if he shall prevail in the suit.

New complaint.

§ 31. When either party shall be dissatisfied with the annual compensation, established by the jury under the provision of this act, a new complaint may be brought for the increase or diminuation of the said annual compensation, or for ascertaining the gross amount of the damages and all the proceedings for ascertaining and determining said compensation or damages shall be conducted, substantially, in the manner before provided, in the case of an original complaint:

Provided, That when any complainant shall hereafter decline to accept the amount of gross damages awarded him, no jury shall again determine the amount of gross damages until the expiration of ten years thereafter. Proviso.

§ 32. Such new complaint may be maintained by and against either of the parties to the original suit or by and against any person lawfully holding under either of them respectfully, [respectively] as the case may require. Parties to suit.

§ 33 No such new complaint shall be brought until the expiration of one month after the payment of the then last year shall have fallen due, and either party may within the said month, make an offer or tender to the other, in the manner hereinafter provided. Time of bringing complaint.

§ 34. The owner of the mill or dam may within the said month, offer in writing to the said owner of the land that is injured, any increase of the annual compensation to be hereafter [thereafter] paid, for maintaining and using said dam, and if the owner of the land shall not agree to accept the same, but shall bring a new complaint in order to obtain an increase of the compensation, he shall not be entitled to costs thereon, but shall pay costs to the adverse party, unless he shall obtain a verdict for a greater annual compensation than was so offered to him. Offer of increased compensation to set off cost.

§ 35. The owner of the land that is injured, may also within said month, offer in writing to the owner of the mill or dam, to accept any smaller sum than that which is established as the annual compensation to be thereafter paid for maintaining and using the dam, and if the owner of the mill or dam shall not agree to pay such reduced compensation, but shall bring a new complaint in order to obtain a dimination thereof, he shall not be entitled to costs, upon his complaint, but shall pay costs to the adverse party, unless the annual compensation shall be reduced by the verdict, to a sum less than that which was offered him. Offer of diminished compensation to cut off cost.

§ 36. Such offer may be made by or to the respective tenants or occupants to the land, and of the mill or dam in question in like manner, and with the like effect as if made by or to the respective owners, except that no agreement founded thereon shall bind the said owners, unless it be made with their consent. To whom made.

§ 37. If the offer so made by either party shall be agreed to and accepted by the other, it shall establish Offer to be signed by both parties and filed.

the annual compensation to be thereafter paid in like manner, as if it had been established by a verdict and judgment upon a new complaint: *Provided*, That a memorandum of such offer and acceptance, and of the agreement thereupon be made and signed by the respective owners of the mill or dam, and of the land, or by persons duly authorized by them, and filed and recorded in the clerks office of the courts, in which the former judgment was rendered, with a note of reference on the record of the former judgment, to the book where the agreement is recorded.

Former action no bar.

§ 38. If upon any complaint by the owner of the land, alleged to be injured, the jury shall decide that he is not entitled to any annual compensation, the judgment thereon shall be no bar to a new complaint or damages, alleged to have arisen after the former verdict and for the compensation for damages that may be thereafter sustained.

Offer of compensation to cut off costs after suit is commenced.

§ 39. In every case of an original complaint brought by the owner of land alleged to be injured by a mill-dam, the respondent may bring into court, and there tender any sum that he shall think proper to be paid to the complainant for the damages incurred up to the time of such tender and may also offer to pay any certain annual compensation for the damage that may be thereafter occasioned by the dam in question, and if the complainant shall not accept the same with his costs up to the time, but shall proceed in the suit to recover greater damages or compensation than is so offered, he shall be entitled to his costs up to the time of the tender, and the respondent shall be entitled to recover his costs afterwards, unless the complainant shall recover greater damages or greater annual compensation than was so offered.

Judgment on offer if accepted.

§ 40. If the complainant, in the case mentioned in the preceeding section, shall consent to accept the amount, so offered for the past damage and the future annual compensation, he shall have judgment accordingly, and also for his costs up to that time, and the judgment shall have the same effect as if it had been rendered upon the verdict of a jury empannelled according to the provisions of this act, or the complainant may accept either the sum tendered for past damages or the offer for future annual compensation, and proceed to trial on the residue of the complainant, under the same liability for costs as before provided.

§ 41. No complaint for flowing shall be abated by reason of the death of any party thereto, but the same may be prosecuted or defended by the surviving complainants or respondents, or the executors or administrators of the deceased, and if any such complaint shall be abated or otherwise defeated for any matter of form, or if after verdict for the complainant, the judgment shall be reversed for error, upon certiorari, or otherwise, the complainant, or any person claiming from, by or under him, may bring a new complaint for the same cause, at any time within one year after abatement or other determination of the original complaint, or after the reversal of the judgment therein, and may upon the new complaint recover such damages as shall have been sustained during the three years before the institution of the first complaint, or at any time afterwards. Complaint not affected by death of parties.

§ 42. This act shall not in any way or manner affect any suit or suits now pending, either in law or chancery, nor shall it affect any causes of action, rights or remedies which may have occured before the passage of this act.

§ 43. This act shall take effect from and after the first day of May, A. D., 1840.

Approved, January 13th, 1840.

Chap. 63.

Published, May 13, 1857.

AN ACT to pay the postage of the several State Officers.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The Secretary of State is hereby authorized to audit the accounts of the Postmaster at Madison, for the postage of the Executive office, office of the Secretary of State, Attorney General, State Superintendent, Bank Comptroller, State Treasurer and Clerk of the Supreme Court, for the year 1857; said accounts to be certified by the said Postmaster at Madison by affidavit. Account.

Appropriation.

§ 2. There is hereby appropriated to the Postmaster at Madison, out of any money in the Treasury not otherwise appropriated, a sum sufficient for the payment of the above accounts, to be drawn quarterly from the Treasury, upon the presentation of said accounts properly certified to by their respective officers.

Approved, March 6, 1857.

Chap. 64.

Published, March 27, 1857.

AN ACT to provide a State Hospital for the Insane.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Name.

§ 1. An institution is hereby established, the name of which shall be "The Wisconsin State Hospital for the Insane."

Board of Commissioners.

§ 2. For the purpose of the establishment, and the erection of the buildings of said institution, the Governor is hereby authorized to appoint three persons, who shall constitute a Board of Commissioners, who shall hold their said offices for the term of three years from and after the passage of this act, unless the said hospital buildings shall have been sooner completed, or until the legislature shall otherwise provide; who, before entering upon the duties of their respective offices, shall severally take and subscribe an oath or affirmation, before some officer authorized to administer oaths, to faithfully execute the trust reposed in them by this act, which said oath or affirmation shall be filed in the office of the Secretary of State.

Vacancy in board

§ 3. In case the Commissioners mentioned in the second section, or either of them, shall neglect or refuse to file his official oath or affirmation in the office of the Secretary of State, as aforesaid, for the space of thirty days from the passage and approval of this act, then such person or persons so refusing or neglecting, shall be considered as having declined said office, and there-

upon it shall be the duty of the Governor by appointment to fill such vacancy; and if at any time thereafter any vacancy shall happen in said Board of Commissioners, it shall also be the duty of the Governor to fill such vacancy, and any person so appointed, before entering upon the discharge of the duties of their said office, shall qualify in the same manner as is provided in the second section of this act.

Com. to select site of Asylum.

§ 4. For the purposes contemplated in this act, it shall be the duty of said Commissioners to examine the land now belonging to the State, which was purchased of L. J. Farwell for the site of a Lunatic Asylum, with the view of determining whether or not said location and lands combine the necessary advantages for the site of such an Institution, and if it is the opinion of said Commissioners, or a majority of them, that the best interest of the State requires the selection of some other location, they shall then have the power, and it shall be their duty, to make another selection for the site and location of said hospital, and to negotiate for and secure the same. The said Commissioners in determining the location of said hospital, shall also take into consideration offers of donations to the State of lands for the site of said hospital, of materials for its construction, and the cheapness of materials and labor therefor, and shall locate the same where the said hospital can be erected and supported with least expense, and at the same time afford a healthful location and easy of access.

Plans for hospital.

§ 5. It shall also be the duty of said Commissioners to examine any and all plans that may be in the Executive or other State offices, as well as any other plans that may be submitted to them, and to select therefrom, or cause to be prepared a complete set of plans and drafts for said hospital, together with full specifications in detail for the construction of the same.

Cost of Asylum.

§ 6. The aggregate cost of said Institution, with the location, shall not exceed, when completed, the sum of plan to be adopted, the said Commissioners shall in no event provide for a greater expenditure than the aforesaid sum; and all contracts that shall involve a greater expenditure than the above mentioned sum, shall be null and void.

Com. to elect their own officers

§ 7. The said Board of Commissioners shall have authority to appoint one of their number to act as Presi-

dent, one to act as Secretary, and one to act as the Building Superintendant, and if the said Board shall deem it necessary in order to obtain information in relation to the most approved modern improvements, which are being introduced into similar institutions for heating, ventilation and culinary purposes, they are hereby authorized to appoint one of their number for that purpose to visit either, or all of the following institutions, to wit: —The Michigan State Asylum, at Kalamazoo, the Utica Asylum, New York, and the North Hampton Asylum, Mass.

Notice of proposals for building.

§ 8. As soon as a plan of said building shall have been adopted, it shall be the duty of said Commissioners without unnecessary delay, to cause notices to be published in some newspaper in each of the incorporated cities of this State, at least once in each week for eight successive weeks, that sealed proposals will be received at the office of Secretary of State, in the city of Madison, for furnishing materials, and for the performance of all the labor to completion of said hospital buildings or such parts thereof as it proposed to be put under contract. It shall in said notices be stated that the plans and specifications for the entire building so to be let, will be open to the inspection of all persons interested during the business hours of each day, at the office of the Secretary of State, during the whole time of advertising as aforesaid—the manner in which bids will be received for the different kinds of materials, and labor shall also be stated as well as the time and place when said Commissioners will meet to open said proposals, and award the contracts. Said Commissioners shall advertise for proposals for doing the entire work to be let and furnishing all materials for a gross sum—and also for bids for doing different parts of the work, specifying the same, and for furnishing the different kinds of materials required in the whole or in part. The said Commissioners shall publish with such notice blank forms which may be used in making proposals for work and [illegible] shall prepare printed blank forms to be furnished on request to persons wishing to make proposals for doing work or furnishing materials.

Manner of accepting proposal.

§ 9. At the time and place mentioned in said notice, the said Commissioners, or a majority of them, shall publicly proceed to open such sealed proposals as shall have been received under said notice, which said pro-

posals shall each be recorded in a book to be provided by them, wherein shall be kept a full record of all their proceedings, and after having been recorded as aforesaid, the same shall be carefully filed and preserved in the office of the Secretary of State, thereupon the said Commissioners shall award the contract or contracts as the case may be, to the lowest and best responsible bidder or bidders.

Contract.

§ 10. After the award of the contract or contracts as provided in the next preceding section, the said Commissioners for, and on behalf of this State, shall execute in writing a contract or contracts with the person or persons whose bid or bids shall have been accepted, conditioned, among other things, on the part of the State, that payments shall be made monthly for part performances, upon the estimates to be made by the Superintendant, reserving twenty per cent. therefrom in all cases, until the completion and acceptance of such contracts as security for the faithful performance of such contract or contracts.

Monthly estimate of expense.

§ 11. The Superintendant shall, at the close of each month, make out estimates for all the materials furnished and for labor performed during the said month, upon any and all existing contracts, which estimates, when so made out, shall be entered at length in the Commissioners record of proceedings; and after deducting twenty per cent. therefrom, the said Commissioners shall make out duplicate certificates, and signed by their President and Secretary, of the amounts that shall appear to be due upon any contract or contracts—one of which said certificates shall be returned without delay by them to be filed in the office of the Secretary of State, and the other shall be delivered to the person entitled to the same, to which shall be annexed an order drawn on the State Treasurer for the amount so certified to be due; and upon the final completion of any contract for materials furnished, or labor performed, the said Commissioners shall, in like manner, issue their certificate and order for the balance that may be due upon any such contracts, after deducting all payments that have been previously made thereon.

Treasurer to pay order.

§ 12. The State Treasurer is hereby authorized to pay all orders drawn upon him by said Commissioners, accompanied with certificates as aforesaid, which shall be paid out of any fund which the Legislature may ap-

propriate for the erection and establishment of said institution.

Com. may alter plan.

§ 13. If for any cause during the progress of construction of said hospital buildings the said Commissioners shall determine to deviate in any minor particulars from the plan adopted, they shall have the power to do so on giving timely notice to the contractor or contractors who may be interested, and in case they shall be unable to agree with such contractor or contractors upon the difference of price occasioned by such deviation, or alteration, then the matter of difference shall be referred to some disinterested person to be mutually agreed upon by the parties, whose decision shall be final between said parties.

No com. to be interested in contract.

§ 14. None of said Commissioners shall at any time be interested pecuniarly, either directly or indirectly in any contract authorized under this act, and the so being interested is hereby delared a misdemeanor, and the offender upon conviction of said offence, be punishable by fine not exceeding twenty thousand dollars, or by imprisonment in the discretion of the court.

Yearly report to Legislature.

§ 15. At the close of each fiscal year until the said hospital buildings shall have been completed the said Commissioners shall make a report to the Legislature, giving an account of all expenses incurred by them, an account of said institution, together with the progress made with said work, and such other facts and suggestions, as to them may seem material and proper.

Pay of com.

§ 16. The said Commissioners shall be entitled to receive monthly for their services, out of the fund appropriated for the erection of such buildings the sum of five dollars per day for their time actually and necessarily devoted to said services, and their actual travelling expenses while traveling on business appertaining to their said office, their accounts to be rendered in detail and verified by their affidavits, to the Secretary of State, who is hereby authorized to audit and allow the same, and his certificate of allowance shall be endorsed on said accounts, and when so certified the State Treasurer is authorized to pay the same, and not otherwise, and all persons to whom payments shall be made by virtue of this act shall sign a receipt upon the account or accounts so certified as aforesaid, which receipts shall constitute sufficient vouchers for said Treasurer, in the settlement of his accounts.

Appropriation.

§ 17. The sum of thirty-five thousand dollars is here-

by appropriated out of the general fund, to carry into effect the provisions of this act.

Approved, March 6, 1857.

Chap. 65.

Published March 26, 1857.

AN ACT authorizing the borrowing of money on the faith and credit of the State, to pay certain State bonds heretofore issued.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Loan of $50,000.

§ 1. For the purpose of paying the fifty thousand dollars of State bonds, which fall due on the fifth day of April, 1857, a loan of fifty thousand dollars is hereby authorized and required to be made on the faith and credit of the State in the form hereinafter specified.

Form of bonds to be issued.

§ 2. The Governor, as soon as practicable, after the passage of this act, shall cause to be prepared State bonds with coupons attached, of the State of Wisconsin, for the sum of one thousand dollars each, to the number of fifty, and shall execute the same as the Executive of the State, for and on behalf of the State, and cause the great seal of the State to be affixed thereto; said bonds to be made payable at the Bank of North America in the city of New York, five years from the first day of April, A. D. 1857, with interest at the rate of six per centum per annum, payable semi-annually at the said Bank of North America, on the first day of April and October of each year, from the first day of April, 1857, to the first day of April, 1862.

How negotiated.

§ 3. The bonds and coupons when so executed, the Governor shall negotiate on or before the first day of April next for the purposes expressed in this act; *Provided*, That on or before the expiration of fifteen days after the passage of this act, any holder of the bonds issued under an act entitled "An Act to authorize the borrowing of money," etc., approved April 14, 1852, shall have a preferred right to subscribe at par for an

amount of the funds hereby authorized to be issued, equal to the amount at par of the bonds so held by him, and the money arising from the sale of all said bonds, shall be deposited with the Treasurer of the State, and be applied by him for the purposes specified in this act.

Tax. § 4. An annual tax of one fifth of one mill on the dollar valuation, shall be and is hereby levied upon the taxable property in the State for the years 1857, 1858, 1859, 1860 and 1861, to be collected in addition to and with the State tax levied annually, to provide for the current expenditures of the State, and a sufficient amount of the proceeds of the said tax is hereby appropriated annually to pay the said interest to become due on the first days of April and October, in the years 1857, 1858, 1859, 1860 and 1861.

Additional Tax for 1861. § 5. A State tax shall be, and is hereby levied for the year 1861, which shall be collected in addition to and with the other State taxes for the same year; said tax to be a sum of money sufficient to pay the amount of principal of the bonds aforesaid and the interest to become due on the first day of April, 1862; and unless the Legislature, at their session preceding the collection of any of the said taxes to pay the interest and the principal of said loan, shall make provision to levy and collect such annual taxes, in addition to and with the other State taxes, it shall be the duty of the Secretary of State then in office, to apportion such taxes among the several counties in proportion to the taxable property therein, as ascertained from the last returns made to him by the Clerks of the several Boards of Supervisors, and shall before such annual session of such Board of Supervisors, make out and transmit to each Clerk thereof, the amount of such tax so apportioned to his county, and shall in such case charge to each county the amount apportioned to the same, and each such county shall be liable for the payment into the State Treasury by the second Monday of February next succeeding, for the amount so charged to the same.

Appropriation for deficit in tax. § 6. Whenever the proceeds of any tax authorized by this act, shall be insufficient to pay the interest on such principal sum coming due, then and in such case the Treasurer shall pay the same out of any funds in the Treasury not otherwise specially appropriated, and it shall be the duty of such Treasurer to forward the amount of interest or principal to become due to the place where such bonds are made payable.

§ 7. The Legislature may from time to time pass laws for the purpose of more effectually carrying out the provisions of this act; *Provided*, That nothing herein contained shall prevent the Legislature from declaring from time to time what property shall be liable to taxation. Legislature may declare what property is liable to taxation.

§ 8. The faith of the State is hereby pledged to carry out the provisions of this act.

§ 9. This act shall take effect from and after its passage.

Approved, March 6, 1857.

Chap. 66.

Published, May 13, 1857.

AN ACT to amend chapter ten, of the revised statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Section one hundred and seven of chapter ten of the revised statutes is hereby amended, so as to read as follows, viz:—

§ 107. No person holding the office of Sheriff or Deputy Sheriff, Judge of Probate, District Attorney, Clerk of the Circuit Court, or Deputy Clerk of the Circuit Court, Clerk of the Board of Supervisors, or Deputy Clerk of the Board of Supervisors, nor any member of the Board of Supervisors, shall hold the office of County Treasurer or Deputy County Treasurer.

§ 2. This act shall take effect from and after its passage.

Approved, March 6, 1857.

Chap. 67.

Published, June 19, 1857.

AN ACT concerning Railroads.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

R. Road crossing public highway to put up sign boards.

§ 1. All Railroad Companies in this State, wherever their track crosses a public highway, shall put up or cause to be put up, large sign boards over such highways, the following inscription on both sides of such boards, in large letters:—Look out for the Cars. In all incorporated cities the said Companies shall cause the bell on the Engine to be rung before crossing any of the streets of a city, and their trains shall not go faster, until the same have passed all travelled streets of said city, than at the rate of six miles per hour.

§ 2. The sign boards required to be put up by the foregoing section, shall be erected on all the Railroads in this State within six months from and after the passage of this act.

Fine for refusal or neglect.

§ 3. If any Railroad Company shall refuse or neglect to comply with any of the foregoing provisions of this act, such Railroad Companies shall, upon conviction, be punished for each and every such offence by a fine not exceeding fifty dollars; such fine to be recovered against any such Railroad Company in any court of proper jurisdiction, and such fine when collected shall be paid into the Treasury of the proper town or city.

§ 4. This act shall take effect and be in force from and after its passage and publication.

Approved, March 6, 1857.

Chap. 68.

Published, May 2, 1857.

AN ACT to cede to the government of the United States of America full control and jurisdiction over several Tracts of Lands herein named for Light House and other purposes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The State of Wisconsin doth hereby cede to the United States of America, full and complete control and jurisdiction over several tracts of land at the several places hereinafter specified, to wit: At the city of Fond du Lac, in the county of Fond du Lac; Port Ulao, in the county of Ozaukee; city of Kenosha, in the county of Kenosha, and at Portage, opposite the head of Big Sturgeon Bay, for the purpose of improving the same by erecting a Light House and dwelling house on each of said tracts of land, and the said several tracts of land are hereby forever exempted from taxation so long as the same shall continue the property of the United States of America. The said several tracts of land in no case, over which control and jurisdiction is hereby ceded, shall not exceed an area of ten acres in any one tract of either of the said places above mentioned. Lands ceded to the U. States.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 6, 1857.

Chap. 69.

Published March 30, 1857.

AN ACT relating to practice in the Circuit Court.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Whenever on the trial of any cause in the Circuit Court, either party shall request it, the Judge presiding in such Court shall reduce his charge to the jury Charge of judge shall be reduced to writing if requested.

empannelled in such cause, to writing before giving the same to such jury; and if any such Judge shall give any charge to a jury on the trial of any cause when so requested without the same be in writing, it shall be sufficient cause for reversing an appeal or error to the Supreme Court, the judgments which may be rendered therein.

Shall be placed on file.

§ 2. As soon as any such charge shall have been given, the same shall be placed and remain on file among the records and papers of the case in which it was given.

§ 3. This act shall take effect from and after its passage.

Approved, March 6, 1857.

Chap. 70.

Published May 2, 1857.

AN ACT to punish the fraudulent issue and transfer of certificates of stock incorporations.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Punishment for fraudulent issue of certificate of stock.

§ 1. Every President, Cashier, Treasurer, Secretary, or other officer, and every agent of any bank, railroad, manufacturing or other corporation, who shall wilfully and designedly sign, with intent to issue, sell or pledge, or cause to be issued, sold or pledged, any false, fraudulent, or simulated certificate, or other evidence of the ownership or transfer of any share or shares of the capital stock of such corporation, [or any certificate or other evidence of the ownership or transfer of any share or shares in stock in such corporation,] or any instrument purporting to be a certificate or other evidence of such ownership or transfer, the signing, issuing, selling or pledging of which by such President, Cashier, Treasurer or other officer or agent, shall not be authorized by the charter and by-laws of such corporation, or by a resolution of the Board of Directors or Trustees, or by some amendment thereof, shall be adjudged guilty

of felony, and shall be punished by a fine of not less than one thousand dollars, and imprisonment in the State Prison not less than one year nor more than ten years, in the discretion of the court.

§ 2. This act shall be considered a public act, and shall take effect and be in force from and after its passage.

Approved, March 6, 1857.

Chap. 71.

Published, May 4, 1857.

AN ACT allowing damages in case of death caused by wilfulness or negligence.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That whenever the death of a person shall be caused by a wrongful act, neglect or default, and the act, neglect or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damage in respect thereof; then and in every such case, the person who, or the corporation which would have been liable, if death had not ensued, shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death may have been occasioned under such circumstances as constitute an indictable offence; *Provided*, That such action shall be brought for a death caused in this State, and in some court established by the constitution and laws of the same. Damages in case of death caused by negligence.

§ 2. Every such action shall be brought by and in the name of the personal representative of such deceased person; and the amount recovered shall belong and be paid over to the husband or widow of such deceased person, if such relative survive him or her; but if no husband or widow survive the deceased, the amount recovered shall be paid over to his or her lineal descendants, and to his or her lineal ancestors in default of such descendants; and in every such action the jury Who may.

may give such damages, not exceeding $5,000, as they shall deem fair and just in reference to the pecuniary injury resulting from such death to the relatives of the deceased specified in this section; *Provided*, Every such action shall be commenced within two years after the death of such deceased person.

Proviso.

Approved, March 6, 1857.

Chap. 72.

Published, May 4, 1857.

AN ACT to change the time of holding the December Term of the Supreme Court.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Time of holding Supreme Court changed to January.

§ 1. A term of the Supreme Court shall hereafter be held, commencing on the Tuesday next preceding the second Wednesday of January in each year, and shall be called the January term.

§ 2. So much of any act or acts as requires a term of the Supreme Court to be held in the month of December of each year, is hereby repealed.

Approved, March 6, 1857.

Chap. 73.

Published, May 4, 1857.

AN ACT to authorize Hannah Jane Dutcher, a minor, to convey and devise real and personal property.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Power granted H. J. Dutcher to devise and convey real estate.

§ 1. Hannah Jane Dutcher, a minor, now a resident of Williamstown, Dodge county, State of Wisconsin,

may hold, grant, bargain, sell, release, convey, devise and bequeath, real and personal property, and any right, title, interest and estate therein, and the rents, issues and profits thereof, in like manner, and with the like force and effect, as if she were of the full age of twenty-one years.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 6, 1857.

Chap. 74.

Published May 6, 1857.

AN ACT to amend section three of chapter one hundred and fifty-three [153] of Revised Statutes, and section one of chapter 12 Session Laws of 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Regulating compensation of keepers of common jails.

§ 1. That so much of the provisions contained in Sec. 3, chapter 153 of Revised Statutes, and of section one of chapter 12 of Session Laws of 1854, as relates to the compensation of the keepers of the common jails of the various counties of this State, are hereby repealed, and such keepers shall be entitled to and shall receive such compensation for maintaining prisoners in said jails as shall be allowed by the Supervisors of such county, not less than two dollars and fifty cents per week.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 6, 1857.

Chap. 75.

Published May 6, 1857.

AN ACT to punish the crime of larceny on conviction for a second offence.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Punishment for Larceny, second offence.

§ 1. Every person who shall commit the crime of larcency, by stealing of the property of another, any money, goods or chattels, or any bank note, bond, promissory note, bill of exchange or other bill or certificate or any book of accounts or concerning money or goods due or to become due or to be delivered or any deed or writing containing a conveyance of land or any other alienable contract in force, or any receipt, release or defeasance, or any writ, process or public record of the property stolen shall exceed the value of one hundred dollars, shall be punished by imprisonment in the State Prison, not more than three years, nor less than one year, and if the property stolen shall not exceed the value of one hundred dollars and exceeding twenty dollars, he shall be punished by imprisonment in the State Prison, not exceeding one year, nor less than six months, or by imprisonment in the county jail not more than one year, nor less than three months, or by fine not exceeding three hundred dollars.

Approved, March 6, 1857.

Chap. 76.

Published, May 13, 1857.

AN ACT to authorize J. L. Jenks, administrator of the estate of the late James G. Percival, to draw the balance of salary due said estate.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The Secretary of State is hereby authorized to audit the claim of J. L. Jenks, administrator on the

estate of the late James G. Percival, to the amount of sixteen hundred and thirty-five dollars, being the balance due said Percival for services as State Geologist. Sec'y. of State to audit account of J. L. Jenks.

§ 2. The State Treasurer is hereby authorized to pay to said J. L. Jenks, administrator as aforesaid, the sum of sixteen hundred and thirty-five dollars in accordance with the provisions of an act entitled "an act providing for the Geological survey of the State," approved March 25, 1853.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, March 6, 1857.

Chap. 77.

Published May 7, 1857.

AN ACT to appropriate to Edward McGarry, State Prison Commissioner, the sum of money therein named.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. There is hereby appropriated to Edward McGarry, State Prison Commissioner, out of any money in the State Treasury, not otherwise appropriated, the sum of thirty-seven thousand and two hundred dollars as follows: twenty-two thousand dollars to defray the current expenses of the State Prison for the year 1857; twelve thousand dollars to be applied to the completion of the main building of the prison; three thousand dollars for laying the foundation of a wall around the Prison grounds, and two hundred dollars for the purchase of books for the use of the convicts. State Prison Appropriation.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 7, 1857.

Chap. 78.

Published, May 2, 1857.

AN ACT to appropriate three thousand dollars for the purchase of Stationary for the use of the State Officers and the next Legislature.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Stationary for State Officers.

§ 1. The sum of three thousand dollars, ($3,000) out of any money in the State Treasury not otherwise appropriated, is hereby appropriated for the purchase of Stationary for the use of the State Officers and Legislature for the ensuing year. The money to be drawn from the Treasury by the person whom the Governor may appoint to purchase said Stationary, after such person has given the bonds required by law.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 7, 1857.

Chap. 79.

Published May 13, 1857.

AN ACT to provide for levying a State tax for the year 1857.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

State tax for 1857.

§ 1. There shall be levied and collected for the year 1857, a State tax of three hundred thousand dollars, to be apportioned among, and assessed upon the several counties of this State, as provided in chapter seventy-three of the session laws of 1854, entitled "an act to establish a board of equalization of State tax for the year 1854," approved April 1st, 1854; and shall be levied upon the property real and personal in this State, according to the equalization to be made the present year, by the State board of equalization, which tax

shall be levied, collected and paid into the State Treasury as provided by law.

§ 2. The State board of equalization shall on or before the first day of October, after the passage of this act, proceed to, and make the equalization aforesaid, and immediately certify the same to the several counties in this State, as provided by law, to have full force and effect for the year 1857. Meeting of Board of Equalization.

§ 3. This act shall take effect and be in force immediately after its passage and publication.

Approved, March 7, 1857.

Chap. 80.

Published, June 18, 1857.

AN ACT in relation to the State Historical Society.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That two thousand extra copies of each annual report and collections of the State Historical Society be printed by the State Printer, for the use of the Society, on the best quality of double medium book paper, and well bound in muslin and suitably lettered; *Provided*, The additional cost of paper shall not exceed fifteen cents per quire over the paper used in the annual State reports, and the cost of binding not to exceed twenty-five cents per copy, and *provided also*, that the whole work be printed each year on new type. State Historical Society's report to be printed by State Printer.

§ 2. The said work shall be executed under the joint direction and approval of the Governor of the State, and the publication committee of the State Historical Society; and the Corresponding Secretary of the Society shall keep a faithful account of the number of copies received from the Printer and Binder, and shall make a certified statement thereof to the printing committees of the Senate and Assembly at each succeeding session of the Legislature.

§ 3. This act shall take effect and be in force from and after its passage, but shall not be so construed as to authorize any reprint of the two reports of the Society already published.

Approved, March 7, 1857.

Chap. 81.

Published, March 11, 1857.

AN ACT to amend Chapter 120 of Session Laws of 1856.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Code amended. § 1. Chapter 120 of the Session Laws of 1856, entitled "An Act to simplify and abrige the practice, pleadings and proceedings of the Courts of this State" is amended as follows:—Where the word "parties" occurs in Section 29 of said Act, the word "defendants" shall be inserted instead thereof; *Provided*, Such action as is set forth in Section 29, may be tried in the County where the defendant may be at the time he is served with a summons, and *Provided further*, That nothing in said Chapter 120 shall be construed to change the county where an action against a corporation might have been tried before the passage of said act; except that in an action against an Insurance Company, the same may be tried in the county where the cause of action, or part thereof, arose.

§ 2. Where the said Chapter 120 does not prescribe on what party, agent or officer, a summons may be served, such summons may be served on the party, agent or officer designated by law, before said act took effect.

§ 3. After subdivision 2 of Section 215, of said Chapter 120, the words "except where a Justice of the Peace has jurisdiction" shall be inserted. In Section 95 where the figures "57" occur, figures "87" shall be inserted instead thereof. In Section 243, where the words "Section 158" occur, the words "Sections 148 and 149" shall be inserted instead thereof. In Section 290, before the figures ', 90," the figures "85" shall be read and insert-

ed. In Section 305 the word "received" shall be read "reviewed." In Section 209 the figures "152" shall be read "153." In Section 354 the words "the 10th day of December 1856" shall be read the "1st day of March 1857." The words "Register of Deeds" shall be read in Section 37 of said Chapter, instead of the words "Clerk of the Circuit Court," and Section 19 of said Chapter is hereby repealed.

§ 4. Where a judgment shall be entered by the Clerk according to the first subdivision of Section 158 of said Chapter 120, no execution shall be issued until after the expiration of a special or general term of the Court which would be authorized for cause shown, to set aside judgment.

§ 5. The costs allowed to the prevailing party in a Justice Court are not altered by said Chapter 120; *Provided*, That the allowances made to the recovering party in a Court of Record, by the first, second, third, fourth and fifth subdivisions of Section 218 of said Chapter 120, shall never in one action, exceed the sum of sixteen dollars. Proviso.

§ 6. Nothing contained in said Chapter 120 shall be construed to confer or create any rights of redemption property sold on the foreclosure of a mortgage not provided for by law prior to the passage of said act.

Approved, March 7, 1857.

Chap. 82.

Published April 1, 1857.

AN ACT for the encouragement of Academies and Normal Schools.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. It shall hereafter be the duty of the Commissioners of School and University lands to apportion the income of twenty-five per cent. of the gross proceeds arising from the sale of swamp and overflowed lands granted to this State, by an act of Congress entitled "an act to enable the State of Arkansas and other Swamp Land income appropriated to Normal Institute.

States to reclaim the swamp and overflowed lands within their limits," approved September 28th, 1850, to Normal Institutes and Academies as hereinafter provided.

Board of Regents—how appointed

§ 2. For the purpose of more fully carrying out the provisions of this act, there shall be constituted a board of nine Regents, to be called the "Board of Regents of Normal Schools," no two of whom shall reside in any one county of this State. They shall be appointed by the Governor, by and with the approval of the Senate. The Governor and Superintendent of Public Instruction shall be ex-officio members of the said Board of Regents. They shall have a voice, but shall not be allowed to vote on any of the business of the Board of Regents. The Governor shall have power to fill all vacancies which may occur by death, resignation or otherwise, until the next meeting of the Legislature, or while the Legislature is not in session, but the appointments thus made shall be confirmed by the Senate during the next succeeding session of the Legislature:

Proviso.

Provided, That the first Board of Regents shall have power to act though appointed by the Governor after the adjournment of the present session of the Legislature.

To be divided into classes.

§ 3. The Board of Regents thus appointed, shall be divided by lot into three classes. The term of office of the first class shall expire on the first day of January, A. D. 1858; the term of office of the second class shall expire on the first day of January, A. D. 1859; the term of office of the third class shall expire on the first day of January A. D. 1860, and thereafter their terms of office shall continue three years.

To make all necessary by-laws.

§ 4. The said Board of Regents shall have authority to make all by-laws and needful rules and regulations necessary for carrying into effect the provisions of this act, not inconsistent with the constitution and laws of this State. The officers of the Board shall be a President, Vice President, and Secretary; they shall severally hold their offices for the term of three years, and until their successors are elected, and shall perform the duties incident to their several offices.

Governor to call meeting of Board

§ 5. The first meeting of said Board of Regents shall be held at such time and place as the Governor may designate, and he shall notify each member of the Board of Regents of the time and place of holding the first meeting, giving written or verbal notice thereof, at

least ten days prior to the time of holding such meeting, and thereafter they shall hold an annual meeting at the Capitol of the State, at such time as they may designate. The said Regents shall not receive any compensation for their services, but shall be allowed from the income of the said school fund, ten cents per mile for the distance travelled in attending any such meeting, on the most direct and usual routes of travel. The Secretary shall receive such additional compensation from the said income fund for his services as the Regents may designate, not exceeding two dollars and fifty cents per day for the time actually devoted to such services, an account whereof shall be made and verified by affidavit.

A majority may constitute a quorum.

§ 6. A majority of the Board of Regents shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. Special meetings of the Board may be called by the Governor, on a petition signed for that purpose, by any six members of the board. At all special meetings of the board, two-thirds of all the Regents shall be necessary to constitute a quorum. Any Regent may be removed from office for cause, by a vote of two-thirds of the board.

Application for income of fund to be made to Board of Regents

§ 7. All applications for any of the income of the school fund, pursuant to the provisions of this act, shall be made to the Board of Regents of Normal Schools, in such manner as they shall direct, and the School Land Commissioners shall distribute the income fund specified in section one of this act to such Normal Schools and Academies, and in such ratio as the Board of Regents shall designate, and no religious test shall ever be required of any student or scholar in any of the Institutions and Schools receiving any of the income fund designated in this act.

Evidence required.

§ 8. The Regents shall require of each Institution applying for any of the income fund designated in section one of this act, satisfactory evidence, which shall be uniform, that the provisions of this act have been fully complied with. They shall require a report annually at such time as they shall designate, of the number, age, residence and studies of each pupil or scholar, returned to them, entitled to the distribution share of said income fund. And they shall make a report of the state and condition of such institution, drawing from the income fund, to the Governor, at the same time that other State officers are required to report. A

copy of the proceedings of the Board of Regents, fully and fairly kept and certified by their President and Secretary, shall be filed annually at the close of each fiscal year of this State, in the office of the Secretary of State.

What institution entitled to benefit from fund.

§ 9. Every chartered College or University in this State in which the usual College course of studies have been established and prosecuted, having corporate property to the amount of fifty thousand dollars above all incumbrances, and every incorporated Academy having corporate property to the amount of five thousand dollars, which shall establish and maintain a Normal Institute in connection therewith, for the education of teachers, shall receive from the income of the fund, as provided in section one of this act; and such Colleges, Universities and Academies shall be allowed to borrow at usual rates from the School and University fund, a sum not exceeding five thousand dollars for building, on giving to the State satisfactory security therefor, in at least double the amount of the loan applied for, to be approved by the Commissioners of School and University lands according to this act. But no University, College or Academy, shall be entitled to such loans, unless it shall be proved to the satisfaction of said Commissioners that the corporation has expended money equal to the sum applied for, to the erection of a building wherein Normal School instruction is given, or that an equal sum has been raised by such institution for building, and no instalments of such loans shall be paid over until proof by affidavit is made by the Principal or President of said institution, that an equal amount with the sum asked for has actually been expended in building since the last instalment paid on such loan; and the corporation shall, before drawing any money for building purposes, give real estate security to the Commissioners owned by such corporation or by individuals in double the amount asked for, for the payment of the sum loaned within ten years at the usual interest and terms for such loans. The security shall be for the entire sum applied for, but the corporation shall be holden only for the amount actually received.

To be distributed according to number of pupils.

§ 10. All the income of the fund provided for in section one of this act, shall be distributed to the Colleges, Universities and Academies severally, except the State University, having established and maintained such

Normal Institute, according to the number of pupils so instructed in such studies and for such a period of time as the Board of Regents may designate as a qualification or condition for receiving the benefits of this act, until the amount awarded to any one of such schools shall reach the sum of three thousand dollars annually.

§ 11. The number of students pursuing the course of studies which may have been designated by the Board of Regents in each Normal Institute or Normal department of any College, University or Academy, receiving the benefits of this act, shall be reported to the Board of Regents upon the oath of the President or Principal, and the Secretary of the Board of Trustees of said Institution.

Warrants to be drawn.

§ 12. Warrants of the Board of Regents signed by the President and Secretary thereof and countersigned by the Secretary of State, shall be drawn on the State Treasurer in favor of such institution for the amount appointed to them severally, which shall be assessed on or before the fifth day of March annually. Each Institution shall give a receipt signed by its Treasurer or by the President and Secretary of the Board of Trustees to the State Treasurer, on receiving any of the fund provided for in this act—and the State Treasurer is hereby authorized to pay each and all Institutions their just proportion of the said income fund as designated by the said Board of Regents.

Penalties for false statement.

§ 13. If any person authorized by this act or by the rules and regulations provided by the Board of Regents to make report from any Normal School of the number of scholars taught therein, shall make any false report of the number of students, the persons so offending shall, on conviction thereof, be punished by fine not exceeding two hundred dollars nor less than fifty, dollars, or by imprisonment in the county jail, not exceeding six months nor less than one month, and if any person or persons shall, for the purpose of obtaining any loan to any College or University, or for the purpose of enabling any College or University to draw any monies as hereinbefore provided, make any false statements relative to the value of the property of such College or University, or as to the establishing and maintaining a Normal Institute in connection with such College or University, for the education of teachers, the person so offending shall, on conviction thereof, be punished by imprisonment in the county jail not

more than one year nor less than six months, and by fine not less than one thousand dollars nor exceeding three thousand.

Board of Regents to consider gifts of sites for building.

§ 14. Whenever any town, city or village in this State shall propose to give a site and suitable building and fixtures for a State Normal School, free from all incumbrances, said Board of Regents may consider the same, and if, in their opinion, the interests of education will be advanced thereby, they may, in their discretion, select from such propositions the one most feasible and located in such place as is deemed easiest of access, and apportion to the same annually a sum not exceeding three thousand dollars for the support and maintenance of teachers therein.

No charge for Normal scholars.

§ 15. No charge shall be made for tuition to any pupil or scholar in said Normal School whose purpose is to fit himself as a teacher of Common Schools in this State, and the number and qualifications of scholars, and regulations under which they shall be admitted, shall be determined by the Board of Regents. Of the remainder of the income mentioned in section one of this act, every incorporated college in this State with a clear capital of $50,000, (except the State University) shall be entitled to receive $20 for every female graduate who shall have pursued the regular course of study in such college, or such a course as the Board of Regents in this act shall prescribe in lieu thereof.

§ 16. This act shall take effect and be in force from and after its passage, and all acts and parts of acts contradicting the provisions of this act are hereby repealed.

Approved, March 7, 1857.

Chap. 83.

Published, May 12, 1857.

AN ACT to authorize the erection of permanent land marks at the corner sections and quarter stakes in the several townships of this State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The qualified electors of the several townships in any county in this State are hereby authorized to de-

termine by vote at any town meeting hereafter to be held, whether they are in favor of erecting permanent land marks at the corner sections and quarter stakes in their respective townships or not, providing that previous notice of submitting this question to a vote of the electors has been given as hereinafter stated. Erection of permanent land-marks.

§ 2. It shall be the duty of the town clerk, whenever a request in writing signed by twelve freeholders of the town is delivered to him on or before the first day of March in any year hereafter, to bring the question of erecting permanent land marks before the town meeting, to cause a notice to be posted up at five of the most public places in the town, stating therein that the question of erecting permanent land marks will be submitted to a vote of the qualified electors of said town at the coming town meeting, which notices shall be posted up at least 15 days before the holding of said town meeting. Duty of Town Clerks.

§ 3. Whenever notice as aforesaid, is given by the town clerk, it shall be lawful for the qualified electors of such town to determine by vote, whether or not permanent land marks shall be established in said town. For this purpose every qualified elector may vote at such election a separate ballot, on which shall be written or printed, or partly written and partly printed the following words: "For erection of permanent land marks, Yes," or, "For erection of permanent land marks, No," which ballots shall be counted and canvassed in the same manner as other ballots for town officers are canvassed. Electors to determine by vote.

§ 4. Whenever three fifths of all the votes cast at such an election shall be in favor of erection of permanent land marks, it shall be the duty of the Supervisors of such town to procure at the expense of said town, a sufficient number of stone monuments, and to make a contract with the County Surveyor, or any competent Surveyor for the survey of all the sections of said town and for the erection of such stone monuments, one at each corner section and one at each external quarter section in said town. Said stone monuments shall be set at least three feet deep in the ground, and stand at least two feet above the ground, and shall have engraved those which are set at the section corner, in ciphers, the number of each section for which such stone monument forms a land mark, and those which Duty of Supervisors.

shall be set at any of the external quarter sections the following initials, ¼ S.

Money to be raised by tax.

§ 5. If at such an election three-fifths of all the votes cast have been polled in favor of the erection of permanent land marks and the Board of Supervisors of such town are hereby authorized and directed to ascertain as early as possible the amount of money requisite for such a purpose, as nearly as can be, and deliver a statement of such an amount to the town clerk, who shall add the said amount to the various sums voted upon to be raised at the town meeting and cause the same to be inserted in the tax roll which he delivers to the town treasurer, who shall collect the same like other town taxes as required by law.

Surveyor to give bond.

§ 6. The Board of Supervisors shall make an agreement with the County Surveyor or any competent Surveyor, what compensation he shall receive for his services in the erection of permanent land marks, and such surveyor before commencing the survey and erection of permanent land marks in such town shall give bond to the people of said town in the penal sum of three thousand dollars, conditioned that he will make a correct and true survey of all the sections in said town, and cause such land marks to be set permanently at each corner section and at each external quarter section as the same have been established by the government survey, and faithfully perform all the duties enjoined upon him by this act.

Notes of survey to be made and recorded.

§ 7. Whenever the surveyor in his survey comes at variance with the section corners and quarter stakes, established by the government survey, he shall in all such cases be governed in the erection of permanent land marks by the section corners and quarter stakes established by the survey of the general government and shall also, in all cases, make correct and full minutes of his survey, containing the exact distance and bearings which each stone monument at the corner of a section has from the external quarter stone monument, north, south, east and west of the same, and also, the exact distance and bearings which each external stone monument has from the two adjacent corner sections. Such statement shall be recorded in the office of the Register of Deeds in the county wherein such town is situated, in a book kept for that purpose, and then filed in the office of the town clerk of said town. Such Register of Deeds shall receive the same compen-

sation for recording the minutes of such survey as is fixed by law for recording deeds and other documents.

Subdivision how regulated.

§ 8. Such stone monuments when erected at the respective section corners and external quarter section stakes by the surveyor as aforesaid, shall be and form the points from whence the section lines and quarter section lines are to be derived and shall also, in all cases, regulate the subdivisions of a quarter section. The territory embraced in such a quarter section, may contain the number of one hundred and sixty acres, or more or less notwithstanding.

Penalty for destroying land marks.

§ 9. If any person shall wilfully demolish, or dig out and carry away such a stone monument, erected as a permanent land mark, he shall, on conviction thereof, be punished in the State prison at hard labor, not more than three years, nor less than one year.

§ 10. This act shall take effect and be in force from and after its passage.

Approved, March 7, 1857.

Chap. 84.

Published May 11, 1857.

AN ACT limiting the time in which certain actions may be commenced.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

When actions shall be commenced.

§ 1. No action for the recovery of any land, tenements or hereditaments, or for the recovery of the possession thereof, shall be maintained in any case, where the defendant or those under whom he claims shall have occupied such premises and made valuable improvements thereon, under color of title asserted in good faith, unless such action shall be commenced within (ten) years after such adverse occupancy and erecting improvements shall have commenced; and this limitation shall apply to an adverse possession taken before the passage of this act as well as after: *Provided*, That in all cases such action may be commenced within three

Proviso.

years after the passage of the same; but nothing in this section shall be construed to extend the time now limited by any law of this State for the commencement of actions for the recovery of real estate.

Where improvements are made.

§ 2. In all cases where a recovery shall be made of lands, tenements or hereditaments, on which the party in possession, or those under whom he claims, holding adversely by color or title asserted in good faith, founded on descent or any written instrument, shall have made valuable and permanent improvements, such party shall have lien on such real estate for the value of such improvements, and the court in which any suit may be brought to recover possession of any lands so improved, may summon a jury to assess and ascertain the value of such improvements—and judgment shall thereupon be rendered by said court to be enforced as other judgment liens on said real estate are enforced by law.

When action may be brought.

§ 3. If any person entitled to commence any action specified in the foregoing section, shall at the time such title shall first descend or accrue, be written, the age of twenty-one years, a married woman, insane, imprisoned, or absent from the United States, such person may bring such action within three years next after the removal of such disability, but not afterwards.

§ 4. When any person against whom an action may be commenced on a contract made in this State, or where a judgment shall be obtained therein, shall after recovery of such judgment or accruing of such action, be absent from the State, the period of such absence shall be no part of the time limited by law for the commencement of such action.

Approved, March 7, 1857.

Chap. 85.

Published, March 25, 1857.

AN ACT to preserve the purity of Elections.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The provisions of this act shall have reference and be applicable to all elections hereafter to be hold-

en for Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General of the State, State Superintendant of Public Instruction, State Prison Commissioner, Bank Comptroller, Judge of the Supreme or Circuit Court, all County officers, Senators and Members of the Assembly, Representatives to Congress, and Electors of President and Vice President of the United States—to all elections by ballot, except private corporations, when a vote by ballot is required by law. Application.

§ 2. The inspectors of the election in determining the residence of a person offering to vote shall be governed by the following rules, so far as they may be applicable: Inspectors how governed.

First—That place shall be considered and held to be the residence of a person in which his habitation is fixed without any present intention of removing therefrom, and to which whenever he is absent, he has the intention of returning.

Second—A person shall not be considered or held to have lost his residence who shall leave his home and go into another State, or county, town or ward of this State for temporary purposes merely, with an intention of returning.

Third—A person shall not be considered to have gained a residence in any county, town or ward of this State into which he shall have come for temporary purposes merely.

Fourth—If a person remove to another State with an intention to make it his permanent residence, he shall be considered and held to have lost his residence in this State.

Fifth—If a person remove to another State with an intention of remaining there an indefinite time and as a place of present residence, he shall be considered and held to have lost his residence in this State, notwithstanding he may entertain an intention to return at some future period.

Sixth—The place where a married man's family resides shall generally be considered and held to be his residence; but if it is a place of temporary establishment for his family or for transient objects, it shall be otherwise.

Seventh—If a married man has his family fixed in one place, and he does his business in another, the form-

er shall be considered and held to be the place of his residence.

Eighth—The mere intention to acquire a new residence, without the fact of removal shall avail nothing, neither shall the fact of removal without the intention.

Ninth—If a person shall go into another State, and while there exercise the right of a citizen by voting, he shall be considered and held to have lost his residence in this State.

Duty of electors.

§ 3. Each elector shall publicly at the polls where he offers to vote, deliver in person to one of the Inspectors of election, a single ballot, or piece of paper, on which shall be written or printed, the names of the persons voted for, with a pertinent designation of the office which he or they may be intended to fill; but no elector shall vote except in the township or ward in which he actually resides.

Penalty for illegal voting.

§ 4. Any person who shall wilfully vote in any township or ward in which he does not actually reside, which township or ward shall be in the county of which he is resident, shall on conviction thereof, be imprisoned in the county jail of the proper county, not more than six months nor less than one month, and any Justice of the Peace for the county in which the offense in this section named shall be charged to have been committed, shall have concurrent jurisdiction with the Circuit Court to try and determine the same, and pronounce sentence thereon.

Penalty for voting out of his own town.

§ 5. Any person being a resident of this State, who shall go or come into any county, town or ward, and vote in such county, town or ward not being a resident thereof, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor not more than two years nor less than one year.

Voting more than once.

§ 6. Any person who shall vote more than once at the same election, shall, on conviction thereof, be imprisoned in the State prison and kept at hard labor not more than two years nor less than one year.

Non-residents voting.

§ 7. Any non-resident of this State, who shall vote in this State, shall on conviction thereof, be imprisoned in the State prison, and kept at hard labor, not more than three years, nor less than one year.

If not in the State a year.

§ 8. Any person who shall vote, who shall not have been a resident of this State for one year immediately preceding the election, or who at the time of the election, is not twenty-one years of age, or who is not a

citizen of the United States, or who shall not, pursuant to law, have declared his intention to become a citizen of the United States agreeably to law, or shall not at the time of voting be an actual resident of the town or ward where the vote is offered, shall, on conviction thereof, be imprisoned in the county jail of the proper county, not more than six months nor less than two months.

Penalty for advising a person to vote illegally

§ 9. Any person who shall procure, aid, assist, counsel or advise another to give his vote, knowing that such other person has not been a resident of this State for one year immediately preceding the election, or that at the time of the election he is not twenty-one years of age, or that he is not a citizen of the United States, and has not declared his intention to become such citizen agreeably to the requirements of the naturalization laws of the United States, or that such other person is not at the time of offering the vote an actual resident of the town or ward where such vote is offered, shall, on conviction thereof, be fined in any sum not exceeding five hundred dollars nor less than one hundred dollars, and be imprisoned in the county jail of the proper county not more than six nor less than one month.

§ 10. Any person who shall procure, aid, assist, counsel or advise another to go or come into any county, district, town or ward, for the purpose of giving his vote in such county, district, town or ward, knowing that the person is not duly qualified to vote in such county, district, town or ward, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor not more than three years nor less than one year.

In case of bribery.

§ 11. Any person who shall by bribery, attempt to influence any elector of this State in giving his vote or ballot, or who shall use any threat to procure any elector to vote contrary to the inclination of such elector, or to deter him from giving his vote or ballot, shall, on conviction thereof, be fined in any sum not less than five hundred dollars nor exceeding one thousand dollars, or be imprisoned in the county jail of the proper county not more than twelve months nor less than three months.

Penalty for improperly furnishing tickets to those who cannot read.

§ 12. Any person who shall furnish an elector who cannot read, with a ticket, informing him that it contains a name or names different from those which are written or printed thereon, with an intent to induce

him to vote contrary to his inclination, or who shall fradulently or deceitfully change a ballot of any elector, by which such elector shall be prevented from voting for such candidate or candidates as he intended, shall, on conviction thereof, be imprisoned in the State prison and kept at hard labor, not more than two years nor less than one year.

Proceedings in case of challenge

§ 13. If a person offering to vote is challenged as unqualified by any elector, or by one of the Inspectors of the election, one of the Inspectors shall tender to him the following oath or affirmation:—You do swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence and qualifications as an elector at this election.

First—If the person be challenged as unqualified, on the ground that he is not a citizen, and hath not declared his intention to become a citizen, the Inspectors or one of them, shall put the following questions:—

1st. Are you a citizen of the United States? if no, then

2d. Have you declared your intention to become a citizen of the United States conformably to the laws of the United States?

3d. When and where did you declare your intention to become a citizen of the United States?

Second—If the person be challenged as unqualified on the ground that he has not resided in this State for one year immediately preceding the election, the Inspectors, or one of them, shall put the following questions:—

1st. How long have you resided in this State immediately preceding this election?

2d. Have you been absent from this State within the year immediately preceding this election? If yes, then,

3d. When you left did you leave for a temporary purpose, with the design of returning, or for the purpose of remaining away.

4th. What State or Territory did you regard as your home while absent?

5th. Did you, while absent, vote in any other State or Territory?

Third—If the person be challenged as unqualified on the ground that he is not a resident of the county, town or ward where he offers his vote, the Inspectors, or one of them, shall put the following questions:—

1st. When did you last come into this county, town or ward?

2d. Did you come for a temporary purpose merely, or for the purpose of making it your home?

3d. Did you come into this county for the purpose of voting in this county?

4th. Are you now an actual resident of this township or ward, and what is the particular description, name and location of your place of residence?

Fourth—If the person be challenged as unqualified on the ground that he is not twenty-one years of age, the Inspectors, or one of them, shall put the following questions:—

1st. Are you twenty-one years of age to the best of your knowledge and belief?

The Inspectors of the election, or one of them, shall put all other questions to the person challenged, under the respective heads aforesaid, as may be necessary to test his qualifications as an elector at that election.

§ 14. If the person challenged shall refuse to answer fully any of the foregoing questions, or any other question touching his qualifications as an elector at that election, the Inspectors shall reject his vote.

§ 15. If the challenge be not withdrawn after the person offering to vote shall have answered the questions put to him as aforesaid, one of the Inspectors shall tender to him the following oath:—

You do solemnly swear (or affirm, as the case may be) that you are twenty-one years of age, that you are a citizen of the United States, (or that you have declared your intention to become a citizen, conformably to the laws of the United States on the subject of naturalization,) that you have resided in this State one year next preceding this election; that you are now a resident of this town (or ward, as the case may be); that you have not voted at this election; and that you have not made any bet or wager, or become directly or indirectly interested in any bet or wager depending upon the result of this election.

§ 16. If any person shall refuse to take the oath or affirmation so tendered, his vote shall be rejected.

Duty of clerk in case of challenge

§ 17. Whenever any person's vote shall have been received, after having taken the oath provided in the fifteenth section of this act, it shall be the duty of the Clerks of the election to write on the poll book, at the end of such person's name, "sworn."

Inspector to challenge.

§ 18. It shall be the duty of each Inspector of the election to challenge every person offering to vote, whom he shall know or suspect not to be duly qualified as an elector.

Proclamation.

§ 19. It shall be the duty of the Inspectors of the election, or one of them, immediately before proclamation is made of the opening of the polls, to open the ballot boxes in the presence of the people there assembled, and turn them upside down, so as to empty them of every thing that may be in them, and lock them; and they shall not be re-opened until for the purpose of counting the ballots therein, at the close of the polls.

Penalty for fraudulent voting.

§ 20. Any person who shall, after proclamation made at the opening of the polls, fraudulently put a ballot or ticket into the ballot box, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor, not more than two years nor less than one year.

§ 21. Any Inspector of the election who shall, after proclamation made at the opening of the polls, put a ballot or ticket into the ballot box, except his own ballot, or such as may be received in the regular discharge of his duty, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor, not more than five years nor less than three years.

Canvass of votes

§ 22. The canvass of votes shall be made publicly in the presence of any person desiring to attend the same, and the result thereof shall be publicly announced by the Inspectors at the close thereof, and they shall in such announcement declare the whole number of votes cast at such election, the number given respectively for each candidate or proposition voted for at such election.

False swearing.

§ 23. If any person challenged as unqualified to vote shall be guilty of wilful and corrupt false swearing or affirming, in taking any oath or affirmation provided by this act, such person shall be adjudged guilty of wilful and corrupt perjury, and upon conviction thereof shall suffer the punishment attached by the laws of this State to the crime perjury.

Wrongfully receiving votes.

§ 24. If any Inspector of election shall knowingly receive or sanction the reception of a vote from any person not having all the qualifications of an elector, or shall receive or sanction the reception of a ballot from any person who shall refuse to answer any question which shall be put to him in accordance with the provisions of the thirteenth section of this act, or who shall refuse to take the oath prescribed by the fifteenth sec-

tion of this act, or shall refuse or sanction the refusal by any other Inspector of the Board to which he belongs, to administer either of the oaths or affirmations prescribed by the thirteenth and fifteenth sections of this act; or if any Inspector or Clerk of the election, on whom any duty is enjoined by this act, shall be guilty of any wilful neglect of duty, or of any corrupt conduct in the execution of the same, such Inspector or Clerk, on conviction thereof, shall be imprisoned in the State prison, and kept at hard labor, not more than five years nor less than one year, or be fined in any sum not exceeding five hundred dollars, nor less than one hundred dollars.

False returns.

§ 25. If any inspecter or clerk of the election shall knowingly make, or cause to be made, or shall aid and assist in making any false return of the votes cast at any election, or shall wilfully alter or destroy any return of election, or any poll book of the election, or shall refuse to make a return according to law, he shall on conviction thereof, be imprisoned in the State prison and kept at hard labor, not more than five years nor less than one year.

False canvass.

§ 26. If any board of canvassers of votes cast at any election, or any member thereof, shall make any false canvass or any false certificate of any canvass of votes, or shall alter any canvass truly made after the same is made, or shall wilfully destroy any canvass or statement thereof, he shall on conviction thereof be punished by imprisonment in the State prison, and kept at hard labor for a term not exceeding three years, nor less than two years.

§ 27. All acts or parts of acts contravening the provisions of this act are hereby repealed.

§ 28. This act shall be given specially in charge to the grand jury at each term of the Circuit Court by the Judge thereof.

Laws to be published.

§ 29. It shall be the duty of the Secretary of State to cause this act and all other laws now in force relating to elections, to be published together with such instructions and forms as may be necessary to secure uniformity and regularity in the manner of notifying, conducting and making returns of elections.

State printer shall publish.

§ 30. The State Printer shall immediately publish in pamphlet form, bound in board covers, five thousand copies of such laws and instructions, for the use of clerks of supervisors, town clerks and inspectors, and

clerks of elections. On the cover of such pamphlets shall be printed the words "Public Property," to be delivered by every officer to his successor.

§ 31. This act shall be immediately published by the State Printer and shall take effect and be in force from and after the first day of April 1857, and a copy of this law shall be transmitted by the Secretary of State to each and every town clerk in this State.

Approved, March 7, 1857.

Chap. 86.

Published July 6, 1857.

AN ACT to regulate the purchase and disbursement of Stationery for the use of the State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Gov. to appoint agent to purchase stationery.

§ 1. The Governor of this State is hereby authorized and required to appoint an agent to purchase all stationery for the use of the State at a compensation not exceeding two hundred dollars per annum, which agent shall let the contract every year of furnishing the said stationery to the lowest bidder as provided in section 25 of article four of the Constitution, and the said agent so appointed shall report to the Legislature during the first week of each annual session the amount of stationery purchased by him during the next preceeding year up to the day of making such report, of whom all such stationery has been purchased; the amount of cash paid on such stationery, if any; the amount purchased on credit, if any; the amount of indebtedness against the State for stationery, if any; and to whom such indebtedness is due.

Agent to make report.

Examination of proposals.

§ 2. The aforesaid agent shall accompany his report with an affidavit taken before some person authorized to administer oaths that he has purchased the State stationery of the lowest bidder after examining at least six different proposals from wholesale stationers for furnishing said stationery, or after examining at least

six wholesale stationery stores for the purpose of making such purchase, and that he has not either directly or indirectly received any bribe, present or consideration of any kind for purchasing any of such stationery, except the compensation hereby authorized.

Agent required to give bond.

§ 3. The said agent shall be required to give a bond running to the State of Wisconsin, with two or more sureties, to be approved by the Governor and deposited in the office of the Secretary of State, in sum of at least double the value of all moneys which shall come into his possession during any one year, conditioned for the faithful performance of his duties and to secure any and all sums of money with which he may be entrusted.

Superintendent of Property to open acc'ts with certain officers.

§ 4. The State stationery when so purchased shall be deposited with the Superintendent of Public Property for safe keeping and disbursement, and it shall be the duty of said Superintendent of Public Property to open separate accounts with each of the following State officers, viz: The office of Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Bank Comptroller, State Librarian, with the Supreme Court and the Legislature.

Disbursement of stationery.

§ 5. The Superintendent of Public Property is hereby authorized to give out all necessary stationery as follows, and to none others: To the Governor or his Private Secretary, for the office of Governor; to the Secretary of State or his assistant, for the office of Secretary of State, and of Commissioners of School and University Lands; to the State Treasurer or his assistant, for the office of State Treasurer; to the Attorney General, for the office of Attorney General; to the Bank Comptroller or his assistant, for the office of Bank Comptroller; to the Superintendent of Public Instruction or his assistant, for the office of Superintendent of Public Instruction; to the Clerk of the Supreme Court, for the Supreme Court room; to each and every member of the Legislature, the Lieutenant Governor, the Chief Clerks and Sergeant-at-arms of the two Houses of the Legislature, and to such other persons as the Legislature of either branch thereof may by resolution designate. No Clerk in any State office or department of State shall be permitted to receive any of the State stationery, unless on the written order of some one of the persons above designated.

Sup't of Public Property to report when required by Gov.

§ 6. The said Superintendent of Public Property shall be required to charge to each state office, to the Supreme Court and to the Legislature all articles of stationery furnished as provided in this act, entering the cost of the same and shall, whenever required by the Governor or by the Legislature, report the amount of stationery received by him, the amount on hand, giving an invoice thereof, the amount given out by him, to what sources he has distributed it, and the value of the stationery furnished to each state officer, the Supreme Court and to the Legislature, specifying the items and the value thereof, stationery furnished to each, giving the name of each member of the Legislature and those connected therewith to whom stationery has been distributed, the items and the amount in value delivered to each member.

Sup't of Public Prop'ty to make out invoice.

§ 7. It shall be the duty of the Superintendent of Public Property, on or before the first day of April, A. D. 1857, to make out an invoice of all stationery, at cost prices, in his possession, under the direction of some competent person, to be appointed for that purpose by the Governor, and the amount of such invoice shall be charged against the Superintendent of Public Property, in book or books of his office, and all subsequent purchases of stationery shall be charged against the said Superintendent of Public property, at cost prices, and the said Superintendent of Public Property shall in his report mention as aforesaid, present on a balance sheet the several amounts with the aggregate amount of all stationery coming into his possession during the next preceeding year up to the time of making such report, and shall credit himself thereon with the several amounts of stationery distributed as provided in this act, and also with the cost value of all the state stationery on hand, and at that and every subsequent report the said Superintendent of Public Property shall charge against himself, in the book or books of his office, the value of all stationery on hand, at the cost prices, as the first entry against himself for the next succeeding year.

§ 8. This act shall take effect and be in force from and after the first day of April, A. D. 1857.

Approved, March 7, 1857.

Chap. 87.

Published, April 30, 1857.

AN ACT to regulate voluntary assignments with a view of insolvency.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That all voluntary conveyance, sales, assignments or transfers whatever, of any real estate, chattels real, goods and chattels, rights, credits, monies or effects whatever hereafter made with a view of insolvency, shall be void as against creditors, unless the assignee in all cases shall be a resident of this State; and shall before taking upon himself the several trusts conferred upon him, or them, by the instrument of assignment, appointing such assignee, execute a bond in a penal sum, and with sufficient sureties to be approved by the county judge of the county where the assignee resides at the date of the instrument of assignment, conditioned to pay over all monies that shall come to his or their hands from the effects of the assignor, after deducting the necessary expenses of performing the trust to the several persons or parties named in the instrument of assignment, appointing such assignee according to the tenor and effect of such instrument of assignment. Voluntary assignments.

§ 2. This act shall take effect from and after its passage.

Approved, March 7, 1857.

Chap. 88.

Published, March 21, 1857.

AN ACT to authorize the establishment of a House of Refuge for Juvenile Delinquents in the State of Wisconsin.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The Governor of the State of Wisconsin shall appoint three Commissioners for the purpose of selecting a suitable site on which to erect a House of Refuge Governor shall appoint Commissioners.

for juvenile delinquents, and the said Commissioners shall within eight weeks from the time of their appointment proceed to examine and determine upon the site aforesaid; *Provided*, That it shall be located where the citizens shall contribute the largest sum towards the erection of the same; in determining such location the said Commissioners shall take into consideration any propositions which may be made to them, and of the performance of which they shall have satisfactory assurance to give to the State; the lands necessary for the site of said House of Refuge, or any materials or money to aid in the erection thereof, and any bond or other obligation executed to the people of this State and delivered to said Commissioners, to secure any such site, materials or money for the purpose aforesaid, shall be valid and binding upon the parties executing the same.

Deed of property.

§ 2. If the said Commissioners shall procure by purchase, or voluntary cession, the site for the said House of Refuge, the deed thereof shall be duly executed to the people of this State and delivered to the Secretary of State, and thereupon the State Treasurer is hereby directed to pay on the order of the Secretary of State to the grantor or grantors, of whom the site shall be purchased, such sum or sums of money as may be required to pay for the site agreeably to the contract of the said Commissioners; *Provided*, The sum to be paid on such order does not exceed the sum of fifteen hundred dollars.

May contract for the erection of building.

§ 3. At any time not exceeding six months after the said site shall be obtained by the said Commissioners, they, the said Commissioners, are hereby empowered to contract for the erection and enclosure of the said House of Refuge on such plan and in such terms as they may deem just and proper; *Provided*, The said plan and the terms of said contract shall be approved by the Governor, Secretary of State, and Attorney General, and, *Provided also*, That said House of Refuge shall be built in a plain manner, and that said Governor, Secretary and Attorney General shall approve no plan for the erection or building of such House of Refuge which shall, in their judgment, require more than twenty thousand dollars for the completion of such building, and the said Commissioners shall elect and designate one of their number who shall superintend the building of the said House of Refuge, with a view to the due

execution of the work on the part of those with whom the said Commissioners shall contract for the enclosure and erection thereof.

Commissioners shall take oath.

§ 4. The said Commissioners above mentioned, before entering on the duties of their office, shall each give his bond to the people of the State in the penal sum of ten thousand dollars, with two or more sufficient sureties, to be approved of by the Governor, conditioned for the faithful performance of the duties required of them by this act.

State Treasurer directed to pay out money.

§ 5. The State Treasurer is hereby directed to pay to the said Commissioners, on the order of the Secretary of State, out of any money in the Treasury not otherwise appropriated, such sum or sums of money as they may from time to time require for the building of the said House of Refuge, not exceeding such sum as will, with the sum drawn and paid for the site of said House of Refuge, amount to twenty thousand dollars, at such times as the sum may be wanted by said Commissioners, in sums not exceeding five thousand dollars at any one time, and the expenditure of at least four thousand dollars thereof shall be accounted for before any other sum shall be advanced.

Commissioners shall report.

§ 6. It shall be the duty of said Commissioners to make a detailed report of all the money received and expended by them by virtue of this act, and of the progress which shall have been made in the erection and enclosure of the said buildings, to the Governor of this State, on or before the first of January next, and so often thereafter as the Governor shall or may from time to time require.

Per diem of Commissioners.

§ 7. Each of said Commissioners herein mentioned shall be allowed for his services four dollars per day while actually employed in the duties of his office, and at the rate of five cents per mile for all the necessary travel in the performance of the duties required by virtue of this act.

Shall advertise for proposals.

§ 8. The said Commissioners shall, for four weeks in succession, advertise in a newspaper published in each of the cities of Racine, Milwaukee, Janesville and Madison, for sealed proposals for erecting and completing the said building and enclosure, and shall make a contract with the lowest bidder or bidders; *Provided*, Such bidder or bidders shall give satisfactory security for the performance of his or their contracts, and, *Provided also*, That such contract or contracts, or such securities,

shall be approved by the Governor. No such bid shall be received unless the same shall be accompanied by a bond to the people of the State of Wisconsin in the penal sum of ten thousand dollars, executed by the person or persons making such bid, and by two sureties, conditioned that the person making such bid will within twenty days after such bid shall have been accepted, enter into a contract according to such bid and give such security as is above required for the full and faithful performance thereof. In case the condition of such bond shall be broken, the Attorney General shall cause such bond to be prosecuted whenever in his opinion the interest of the State shall require it, and in the suit brought thereon the people of the State of Wisconsin shall be entitled to recover the difference between the bid mentioned in the condition of the said bond, and the sum mentioned in the bid upon which a contract shall be finally made, and also any other damages which the State may sustain by the breach of the condition of such bond.

Managers how appointed.

§ 9. The Governor shall appoint nine discreet men under his hand and seal, who shall act as managers of the House of Refuge established by virtue of this act, and who shall, on the acceptance of their respective appointments, perform the duties required of them by virtue of this act, without any compensation for their services.

Shall be divided into three classes

§ 10. The said managers shall be divided by the Governor into three classes of an equal number, and the class to which each of such managers belong shall be set forth in the certificate of their appointment. The terms of office of the first class shall expire on the first Tuesday in March, in the year succeeding their appointment; of the second class, on the first Tuesday in March, in the next year thereafter; and the third class on the first Tuesday in March of the succeeding year. When vacancies shall occur in said Board of Managers, such vacancies shall be filled by the Governor, and the term of office of such managers shall be such that they shall hold their offices for three years as near as may be, and that the term of office of one third shall expire on the first Tuesday of March in each year. Such managers shall have power to make all rules, regulations, ordinances and by-laws for the government, discipline and management of said House of Refuge and the inmates and officers thereof, as to them may seem just

and proper; *Provided always*, That such rules and by-laws shall be in accordance with the Constitution of the United States and the Constitution of this State.

Managers to appoint Superintendent, and make report.

§ 11. The said managers shall appoint a Superintendent of the said House of Refuge, and such officers as they may deem necessary for the interest of the institution, with a view to the accomplishment of the object of its establishment and economy of its management, and the said managers shall make out a detailed report to the Governor, of the performance of their duty, on or before the first day of January in each year; also, a list of the persons received and what disposition was made of the same, and an estimate of the appropriation necessary for the next year, which report shall be laid before the Legislature by the Governor.

Who shall be received, & course of discipline.

§ 12. The said managers and superintendent shall receive and take into the said House of Refuge all male children under the age of eighteen years, and all female children under the age of seventeen, who shall be legally committed to the said House of Refuge as vagrants or on conviction for any criminal offence by any court having authority to make such commitments; and the said managers shall have power to place the said children committed to their care, during the minority of said children, at such employments, and cause them to be instructed in such branches of useful knowledge as shall be suited to their years and capacities, and they shall have power in their discretion to bind out the said children with their consent or the consent of their parents or guardians, if they have any, as apprentices or servants, during their minority, to such persons, and at such places, to learn such proper trades and employments, as in their judgment will be most for the information and amendment and the future benefit and advantage of such children; *Provided*, That the charge and power of the said managers upon and over the said children shall not extend in the case of females beyond the age of twenty-one years, and *provided also*, That the religious opinions of the inmates shall not be interfered with.

Masters and apprentices.

§ 13. All and singular the clauses and provisions contained in Chapter eighty one of the Revised Statutes, entitled of Masters and Apprentices, shall apply to the apprentices and servants and the person to whom they shall be bound under by virtue of this act, and every minor so bound, and the officers binding him,

and his master, shall be subject to all the provisions of said Chapter.

Duty of Commissioners and Governor, when the House is completed.

§ 14. Whenever the said House of Refuge shall, in the opinion of the Commissioners authorized and appointed by the provisions of this act, be in readiness for the reception of persons committed thereto, the said Commissioners shall make, under their hands and seal, duplicate certificates thereof, one of which they shall transmit by mail to the Governor of this State, and the other of which they shall cause to be filed in the office of the Clerk of the County in which such House of Refuge shall be situated. The Governor on receiving such certificate shall make a proclamation of the fact, a copy of which proclamation shall be sent to each County Clerk of this State, and to each of the Circuit and County Judges in this State, by the Secretary of State.

Duty of Courts.

§ 15. From and after the time of making such proclamation, the said Courts and the several magistrates in any county in the State, may, in their discretion, sentence to such House of Refuge any such male or female who may be convicted before them of any petit larceny, and the courts and magistrates may also, in their discretion send to said House of Refuge any such male or female who may be convicted before them as a vagrant.

When money is appropriated.

§ 16. When any appropriation of money is made by the Legislature for the support of the House of Refuge, the Governor shall draw a warrant in favor of the treasurer thereof, for such portions, from time to time, or for the whole amount at one time, as he shall think proper.

Governor shall visit the House.

§ 17. The Governor shall visit the House of Refuge once at least in each year, and make such suggestions in regard to the management, government and discipline of the Institution as he may deem for the interest of the same.

§ 18. This act shall take effect from and after its passage, and there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of five thousand dollars, for the purpose of carrying out the provisions of this act.

Approved, March 7, 1857.

Chap. 89.

Published, May 8, 1857.

AN ACT concerning Insurance Companies.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Act of 1850 binding.

§ 1. The provisions of an act entitled an act, to provide for the incorporation of Insurance Companies, approved February 9th 1850, are hereby declared binding on all Insurance Companies, now, or which at any time hereafter may be doing business in this State whether the same are foreign companies, or companies organized under said act, or under special charters, "whether now existing or hereafter granted," as far as the said act is applicable.

In case of refusal to comply.

§ 2. If any of said Insurance Companies shall neglect or refuse to comply with the requirements of said act, all rights, privileges and franchise granted therein by this State shall be and are hereby repealed.

Duty of Secretary of State.

§ 3. It shall be the duty of the Secretary of State to embrace within his annual report, a condensed statement of the reports made to him in compliance with the requirements of said act, by the several Insurance Companies in this State.

Violation of act.

§ 4. Any officer or agent of any Insurance Company who shall knowingly violate any provisions of said act, or of this act, shall be deemed guilty of a misdemeaner, and be punished therefor as provided in chapter 122 of the revised statutes.

Approved, March 7, 1857.

Chap. 90.

Published July 7, 1857.

AN ACT granting the right of way through State land to Railroad Companies.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Railroad Companies shall have right to possess State land for certain purposes.

§ 1. Every Railroad Company which shall have located or constructed, or which shall hereafter locate or construct its Railroad through any University land,

school lands, or swamp and overflowed lands owned and held by this State, shall have the right to take, occupy, use, hold and possess for the purposes of a Railroad a strip of land one hundred feet wide—fifty feet on each side of the centre line of its main track—through or across each and every tract of land so owned or held by the State, over which said Railroad is or shall be constructed. This section shall not be so construed as to be applicable to any lands sold by this State prior to the passage of this act, nor to any lands that may be hereafter sold by the State prior to the actual survey and location of any such Railroad line and the filing a plat of such Railroad line in the office of the Secretary as prescribed in the next section.

R. R. Companies to d posit p'at with Secretary of State.

§ 2. Every such Railroad Company shall as soon as may be after the passage of this act and after the route of its said road shall be definitely fixed deposite with the Secretary of State a plat exhibiting all of such lands through which the route of said railroad shall run and the location of such route through the same.

Reservation of land for use of R. R. Companies

§ 3. Whenever any certificate or patent shall be issued for any of such lands the same shall contain an express reservation for the use of said Railroad Company of all such lands as according to the provisions of this act such Company has a right to have, hold, occupy, use, or possess.

§ 4. This act shall take effect and be in force from and after its passage.

Amendment to previous acts.

§ 5. All acts of incorporation of any Railroad Company heretofore passed granting to any such incorporation any greater or further extent of any lands belonging to this State without compensation, than the right of way for a railroad, except the acts of incorporation of such Companies as have been organized and commenced the construction of their roads, are hereby so amended as to limit the grant in each and all of said acts to the right of way of one hundred feet in width through the land belonging to this State.

Approved, March 7, 1857.

Chap. 91.

Published April 3, 1857.

AN ACT to regulate the fees of Clerks of Circuit Courts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The fees of Clerks of Circuit Courts for any services herein specified to be rendered by them, shall be as follows:

For docketing cause, first time, fifty cents; for filing each paper, ten cents; for drawing jury, in each cause, fifty cents; for docketing each judgment, one dollar; for entering transcript of Justices judgment, and satisfying same, one dollar; for per diem, during session of any court, to be paid out of the county treasury, on the certificate of the judge, three dollars. Fees of Clerks of Circuit Courts.

§ 2. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

Approved, March 7, 1857.

Chap. 92.

Published July 7, 1857.

AN ACT to amend chapter ninety-four of the Session Laws of 1853.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. No town in any County in the State with an area of thirty-six sections or less according to the United States survey shall be divided or have any part stricken therefrom without submitting the question to a vote of the legal voters of the town. Vote to be taken

§ 2. This act shall take effect and be in force from and after its passage

Approved, March 7, 1857.

Chap. 93.

Published July 7, 1857.

AN ACT to appropriate money to pay for extra Clerks' assistance, under a resolution authorizing the Chief Clerk of the Senate and Assembly to employ the necessary assistance.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec'y of State to audit accounts.

§ 1. The Secretary of State is hereby authorized to audit and allow the accounts of the Chief Clerks of the Senate and Assembly for special assistance under resolutions of the Senate and Assembly authorizing the same provided such compensation shall not exceed four dollars per day if the service be rendered by the day, and if done per folio not to exceed ten cents per folio.

Appropriation.

§ 2. There is hereby appropri ted out of any moneys in the treasury not otherwise appropriated such sums of money as may be allowed by the Secretary of State as aforesaid to pay for such necessary assistance.

Approved, March 7, 1857.

Chap. 94.

Published, July 8, 1857.

AN ACT to amend an act entitled an act to provide for the annual examination of the accounts of certain State officers, approved, October 1st, 1856, and the several acts amendatory thereto.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Com. to make report.

§ 1. The joint committee for investigation are hereby authorized to sit after the final adjournment of the present session of the Legislature, for the purpose of completing the investigation of certain charges which have been made relative to the official conduct of the Superintendent of Public Instruction, and upon the conclusion of the investigation the said Committe shall make their report to the Governor.

§ 2. The members of said committee for investigation shall be entitled to five dollars each for each day's attendance upon the meeting of the committee after the adjournment of the Legislature, but the said committee shall not be entitled to any mileage. Witnesses appearing before the committee shall be entitled to ten cents per mile travelling fees one way, and to one dollar and fifty cents per diem, when not residents of the city of Madison. Witnesses residing in the city of Madison shall be entitled to one dollar per diem. Officers serving papers by direction of the committee shall be entitled to three dollars per day, and ten cents per mile travelling fees for one way. Per diem of members of Com. and witnesses.

§ 3. The committee upon the completion of their labor shall file with Secretary of State a statement of the number of days they have been employed respectively with a statement of the names of the several witnesses who have appeared before them and the names of the officers who have served papers with a statement of the amount due to each person, in accordance with the provisions of section 2 of this act. Committee to file statement of No. of days employed, names of witnesses, &c.

§ 4. Upon the receipt of such statement the Secretary of State shall audit the accounts submitted by said committee, and certify the same to the Treasurer, and an amount sufficient to pay the same is hereby appropriated out of any money in the treasury not otherwise appropriated. Sec'y of State to audit accounts.

§ 5. This act shall take effect and be in force from and after its passage.

Approved, March 9, 1857.

Chap. 95.

Published May 9, 1857.

AN ACT to provide for the appointment of a Superintendent of Public Property and to define his powers and duties.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The Governor shall appoint some suitable person to be known as State Superintendent of Public Property; his term of office shall commence at the same time as that of the elective State officers and shall con- Gov. to appoint State Superintendent of Public Property.

tinue for the term of two years, and until his successor is appointed and qualified, unless sooner removed by the Governor. In case of vacancy from any cause, the Governor shall fill the vacancy for balance of term. His compensation shall be one thousand dollars per annum, which sum is hereby annually appropriated out of the treasury of the State, to be paid in the same manner as the salary of the State officers is paid.

Salary.

State Sup't shall take oath and give bond.

§ 2. The State Superintendent of Public Property shall before entering upon the discharge of the duties of his office, take and subscribe the oath required by the constitution and give a bond to the State of Wisconsin, in the sum of fifteen thousand dollars with not less than four sureties, who shall be resident free holders of this State conditioned for the faithful discharge of the duties of his office, and for the faithful performance by all persons employed by him in his office of their duties, and trusts therein, and that he will deliver over to his successor in office, or to any other person authorized by law to receive the same, all monies, books, records, papers and other articles and effects belonging to his office, or to the State in his charge or under his control, which bond shall be approved by the Governor, and together with the oath of said Superintendent shall be preserved in the executive office, and the said bond shall be deemed to extend to the faithful execution of the duties of the office of said Superintendent until his successor shall be appointed and fully qualified.

Have charge of Capitol, &c.

Proviso.

§ 3. The said Superintendent of public property, shall have the charge of the Capitol and public grounds around the same, and of all movable property belonging to the State not already by law in the charge of other officers; *Provided*, That nothing herein contained shall authorize the said Superintendant of public property to interfere with any rooms in the Capitol that now are, or hereafter may be, appropriated by law for the use of the Legislature or State Offices during the time the same shall be used and occupied.

Employment of workmen.

§ 4. The Superintendent of public property is hereby authorized to employ such workmen in and about the Capitol and public grounds as may be necessary to keep the same in a proper state of cleanliness and repair, and to make such improvements as may from time to time be authorized by law

§ 5. The Superintendant of public property shall

perform such other services as now are, or shall hereafter be, required of him by law.

§ 6. So much of Chapter 23 of the Revised Statutes, and of all other provisions of law as conflict with the provisions of this act, are hereby repealed. Part of chap. 23 R. S. repealed.

§ 7. This act shall take effect and be in force from and after its passage.

Approved, March 9, 1857.

Chap. 96.

Published July 9, 1857.

AN ACT for replenishing the State Library.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. For the purpose of replenishing the State Library there is hereby appropriated to His Excellency, Coles Bashford, Governor of this State, the sum of one thousand dollars, to be paid to him by the State Treasurer out of any money in the treasury not otherwise appropriated. The aforesaid sum shall be expended for the purpose aforesaid under the direction of the Governor, in the following manner: 1st. It shall be applied to the purchase of such of the reports of the Supreme and Circuit Courts of the United States as are not in the Library, and to such other reports and standard elementary and other law works as the Governor shall think fit. 2d. The remaining portion of said sum not required for the purchase of law books shall be expended by the State Librarian, in the purchase of such other (and not law) books as he shall deem advisable, subject to the approval of the Governor: *Provided*, That no portion of the money hereby appropriated shall be expended in making the purchase of the books authorized by this act to be purchased; that no greater sum than is necessary for the transportation of the books shall be incurred in their transportation. Appropriation. Money how expended. Proviso.

§ 2. The books aforesaid shall be purchased and placed in the State Library with all reasonable dispatch.

Appropriation for the purchase of law reports.

§ 3. There is hereby annually appropriated to the Governor of the State the sum of two hundred and fifty dollars to be paid to him by the State Treasurer out of any money in the treasury not otherwise appropriated to be expended under the direction and approval of the Governor by the State Librarian in the purchase of such law reports and other books for the State Library as may be deemed necessary or advisable.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, March 9, 1857.

Chap. 97.

Published July 14, 1857.

AN ACT in relation to limited partnerships.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Construction of this act.

§ 1. Limited partnerships for the transaction of any mercantile, mechanical or manufacturing business within this State may be formed by two or more persons upon the terms with the rights and powers and subject to the conditions and liabilities herein prescribed; but the provisions of this act shall not be construed to authorize any such partnership for the purpose of banking or making insurance.

Of whom such partnerships may consist.

§ 2. Such partnerships may consist of one or more persons who shall be called general partners and who shall be jointly and severally responsible as general partners now are by law, and of one or more persons who shall contribute in actual cash payments a specific sum as capital to the common stock who shall be called special partners, and who shall not be liable for the debts of the partnership beyond the fund so contributed by him or them to the capital.

Who transact business.

§ 3. The general partners only shall be authorized to transact business and sign for the partnership and to bind the same.

§ 4. The persons desirous of forming such partnerships, shall make and severally sign a certificate which shall contain. Rules for forming such partnership.

1st. The name of the firm under which such partnership is to be conducted.

2d. The general nature of the business intended to be transacted.

3d. The names of all the general and special partners interested therein distinguishing which are general, and which are special partners, and their respective places of residence.

4th. The amount of capital which each special partner shall have contributed to the common stock.

5th. The period at which the partnership is to commence and the period at which it will terminate.

§ 5. The certificate shall be acknowledged by the several persons signing the same before a Notary Public or other officer authorized by law to take the acknowledgment or proof of the execution of conveyances of land and such acknowledgment or proof shall be made and certified in the same manner as the acknowledgment or proof of conveyances of land may be made or certified. Acknowledgm't of certificate.

§ 6. The certificate so acknowledged and certified shall be filed in the office of the Clerk of the Circuit Court of the county in which the principal place of business of the partnership shall be situated and shall also be recoverd by such clerk in a book to be kept for that purpose, and in case any such partnership shall have a place of business in more than one county then a copy of such certificate so acknowledged and certified by the Clerk of the Circuit of the county where the original is filed, shall in like manner be filed and recorded in each other county in which such partnership shall have a place of business in the office of the Clerk of the Circuit Court of such county. Certificate shall be filed.

§ 7. At the time of filing the original certificate with the evidence of the acknowledgment thereof as before directed, an affidavit of one or more of the general partners shall also be filed in the same office stating that the sums specified in the certificate to have been contributed by each of the special partners to the common stock have been actually and in good faith paid in cash. Filing of affidavit

§ 8. No such partnership shall be deemed to have been formed until a certificate shall have been made Certificate of partnership to be filed.

acknowledged, filed and recorded, nor until an affidavit shall have been filed as above directed, and if any false statement be made in such certificate or affidavit all the persons interested in such partnership shall be liable for all the engagements thereof as general partners.

Terms of partnership to be published.

§ 9. The partners shall publish the terms of the partnership when registered as above provided, for at least six weeks immediately in two newspapers to be designated by the Clerk of the Circuit Court of the county in which such registry shall be made, and to be published in the judicial circuit in which their business shall be carried on, and if such publication be not made the partnership shall be deemed general.

Affidavits of publication by the printer to be filed with the Clerk.

§ 10. Affidavits of the publication of such notice by the printer, publisher, or foreman of the newspapers in which the same shall be published may be filed with the Clerk, directing the same, and shall be evidence of the facts therein contained.

Every renewal of such partnership to be certified.

§ 11. Every reneval or continuance of such partnership beyond the time originally fixed for its duration shall be certified, acknowledged and recorded, and an affidavit of a general partner be made and filed and notice be given in the manner herein required for its original formation and every such partnership which shall be otherwise renewed or continued shall be deemed a general partnership.

When partnership deemed dissolved.

§ 12. Every alteration which shall be made in the names of the partners in the nature of the business or in the capital or shares thereof or in any other matter specified in the original certificate shall be deemed a dissolution of the partnership, and every such partnership which shall in any manner be carried on after any such alteration shall have been made shall be deemed a general partnership, unless renewed as a special partnership according to the provisions of this act.

Business of the partnership how conducted.

§ 13. The business of the partnership shall be conducted under a firm in which the names of the general partners only shall be inserted without the addition of the word "Company," or any other general term, and if the name of any special partner shall be used in such firm with his previty he shall be deemed a general partner.

Suits how conducted.

§ 14. Suits in relation to the business of the partnership may be brought and conducted by and against the general partners, in the same manner as if there were no special partners.

§ 15. No part of the sum which any special partner shall have contributed to the capital stock shall be withdrawn by him, or paid or transferred to him in the shape of dividends, profits or otherwise, at any time during the continuance of the partnership; but any partner may annually receive such rate of interest on the sum so contributed by him as may be agreed upon in the articles of co-partnership not exceeding twelve per centum per annum, if the payment of such interest shall not reduce the original amount of such capital, and if after the payment of such interest any profits shall remain to be divided he may also receive his proportion of such profits. Further provisions.

§ 16. If it shall appear that by the payment of interest or profits to any special partner, the original capital has been reduced, the partner receiving the same shall be bound to restore the amount necessary to make good his share of capital with interest.

§ 17. A special partner may from time to time examine into the state and progress of the partnership concerns, and may advise as to their management, but he shall not transact any business on account of the partnership nor be employed for that purpose as agent, attorney or otherwise. If he shall interfere contrary to these provisions he shall be deemed a general partner.

§ 18. The general partners shall be liable to account to each other, and to the special partners, for their management of the concern both in law and equity, as other partners are now liable by law.

§ 19. Every partner who shall be guilty of any fraud in the affairs of the partnership shall be liable civilly to the party injured to the extent of his damage, and shall also be liable to an indictment for a misdemeanor punishable by fine or imprisonment, or both, in the discretion of the court by which he shall be tried.

§ 20. Every sale, assignment or transfer of any of the property or effects of such partnership, when insolvent or in contemplation of insolvency, or after or in contemplation of the insolvency of any partner, with the intent of giving a preference to any creditor of such partnership or insolvent partner, over other creditors of such partnership, and every judgment confessed, lien created, or security given by such partnership under the like circumstances, and with like intent, shall be void as against the creditors of such partnership.

Further provisions.

§ 21. Every such sale, assignment, or transfer of any of the property or effects of a general or special partner, made by such general or special partner when insolvent or in contemplation of insolvency, or after or in contemplation of the insolvency of the partnership, with the intent of giving to any creditor of his own or of the partnership a preference over creditors of the partnership, and every judgment, confessed, lien created, or security given, by any such partner under the like circumstances and with the like intent, shall be void as against the creditors of the partnership.

§ 22. Every special partner who shall violate any provision of the two last preceding sections, or who shall concur in or assist to any such violation by the partnership or by any individual partner shall be liable as a general partner.

§ 23. In case of the insolvency or bankruptcy of the partnership, no special partner shall, under any circumstances, be allowed to claim as a creditor until the claims of all the creditors of the partnership shall be satisfied.

§ 24. No dissolution of such partnership by the acts of the parties shall take place previous to the time specified in the certificate of its formation or in the certificate of its renewal, until a notice of such dissolution shall have been filed and recorded in the office of the Clerk of the Circuit Court of the county in which the original certificate was recorded and published once in each week for four weeks, in a newspaper printed in each of the counties where the partnership may have places of business.

§ 25. This act shall take effect and be in force from and after its passage.

Approved, March 9, 1857.

Chap. 98.

Published, July 16, 1857.

AN ACT to provide for auditing the accounts of the Revisers.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec. of State to audit accounts of Revisers.

§ 1. The Secretary of State is hereby directed and authorized to audit the accounts of the persons appointed under the provisions of an act entitled "An Act to provide for a revision of the General Laws of the State of Wisconsin," approved October 13, 1856, for services performed under the provisions of said act from time to time, when presented by said Revisers upon the certificate of said Revisers, stating the number of days actual service rendered by each, and to draw warrants upon the State Treasurer for the amounts audited, and a sufficient sum of money is hereby appropriated out of any monies in the State Treasury not otherwise appropriated to pay such warrants.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 9, 1857.

Chap. 99.

Published, July 20, 1857.

AN ACT to change the fiscal year of the State of Wisconsin, and to amend an act relating to printing, approved April 18, 1859.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Fiscal year changed.

§ 1. Section thirty-one of Chapter nine of the Revised Statutes is hereby amended so that the fiscal year of this State shall hereafter commence on the first day of October in each year, and close on the thirtieth day of September next succeeding.

Further duties.

copies so distributed shall not exceed one hundred full setts in any one year. The general laws of each session shall be printed and delivered within the time now fixed by law, and whenever there is or may be an extra or adjourned session, the laws passed shall be printed and bound as distinct and separate volumes, and shall be completed and delivered within thirty days after the adjournment of the same, and for each days delay thereafter the Printer shall forfeit ten dollars per day, to be deducted from his bill in the manner provided by section four of this act.

Superintendent Public Property to receipt for

§ 10. Upon the presentation to the Secretary of State of the receipt of the Superintendent of Public Property, certifying that any documents or volumes ordered printed by the Legislature have been delivered subsequent to the adjournment of the Legislature, the said Secretary of State is hereby authorized to audit the accounts for the printing of the same to an amount not exceeding seventy-five per cent. of the whole bill, and to draw his warrant on the treasury for the payment of the same; *Provided*, He shall be satisfied that such account is made out in accordance with the terms of said Public Printer.

§ 11. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, a sum of money sufficient to pay all sums authorized to be audited by the Secretary of State in the preceding sections.

§ 12. All acts of the Legislature heretofore passed in relation to binding, and all acts and parts of acts of any existing laws conflicting with the provisions of this act are hereby repealed.

§ 13. This shall take effect and be in force immediately after its passage and publication.

Approved, March 9, 1857.

Chap. 160.

Published July 25, 1857.

AN ACT to provide for the release of Dower of Insane persons.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Whenever any married man shall represent to the Judge of the Circuit Court of the County in which such married man resides, that his wife is insane and that he is the owner of real estate in which his wife has a dower interest, and that it would be for his interest to mortgage, convey, or otherwise dispose of any or all of said real estate, said judge may in his discretion, after due notice and a full examination, if he shall adjudge said woman to be insane, and that it is necessary and for the pecuniary advantage of said insane person, appoint a special guardian of such insane woman for the purposes hereinafter mentioned, and no other. Form of procedure. Guardian appointed.

§ 2. Said guardian under the order and direction of said judge may execute or join with the husband of said insane woman in executing such deed or deeds or other instrument or instruments, in writing, as may be necessary to release and bar the dower interest of said insane wife in and to the whole, or such parts of the said real estate of said husband as the said Judge may direct.

§ 3. The release of dower of such insane wife when executed as provided in this act shall be as complete and effectual to bar and cut off all the right of dower of such person wife, in and to the real estate so conveyed, as if the deed or instrument of release had been executed by the wife being sane.

§ 4. Said Judge shall, before the appointment of said guardian, for the purposes aforesaid, require of the said husband to execute a bond with sufficient sureties in such sum as the said Judge may deem reasonable, conditioned for the support and maintenance of such insane person; and that if said insane wife shall survive said husband as his widow, then there shall annually be paid to such surviving widow during the survivorship, for her sole use and benefit, a sum equal to seven per cent. interest on the value of said dower interest so conveyed as aforesaid. Bond requir ed.

Approved, March 9, 1857.

Chap. 101.

Published, July 25, 1857.

AN ACT to provide for the appointment of an Assistant in the office of the Attorney General.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Attorney General to appoint asst.

§ 1. The Attorney General shall be and is hereby authorized to appoint some competent person as assistant in his office, whose compensation is hereby fixed at six hundred dollars a year, to be paid out of any money in the State Treasury not otherwise appropriated, in the same manner that other salaries are paid.

Approved, March 9, 1857.

Chap. 102.

Published, March 16, 1857.

AN ACT to fix the salaries of the Judges of the Circuit Courts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Judges salaries increased.

§ 1. The salaries of the Judges of the Supreme and Circuit Courts in this State, who shall be hereafter elected or appointed, and whose term of office shall commence after the passage of this act, shall be two thousand five hundred dollars each; such salaries shall be payable quarterly in the same manner that the salaries of Judges of the Circuit Court are now payable; *Provided*, That this act shall not be construed to apply to nor to increase the compensation of the Judge of any Circuit now in office during his term of office.

§ 2. All acts and parts of acts conflicting with this act, except so far as the same may be applicable to the salaries of such Judges as are now in office, are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage and publication, and the Secretary of State is hereby ordered to publish this act in the manner prescribed by law, immediately after its passage.

Approved, March 7, 1857.

JOINT RESOLUTIONS

OF THE

SENATE AND ASSEMBLY,

OF THE STATE OF WISCONSIN—SESSION OF 1857.

No. 1.

JOINT RESOLUTION of instructions to the Senators and Members in Congress from this State.

Resolved, by the Senate and Assembly of the State of Wisconsin, That our Senators and Members of Congress be requested to use their earnest endeavors to obtain payment to the State of the five per cent. of the proceeds of the sales of lands by the United States within this State, and the Governor of this State is hereby required to forward a copy of this resolution, immediately after its passage, to each of said Senators and Representatives.

Approved, February 16, 1857.

No. 2.

RESOLUTION instructing Senators and Representatives in Congress to oppose reduction of duty on Lead and Copper.

Resolved, by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Repre-

sentatives be requested, to oppose any reduction of the present rates of duty on Lead and Copper.

Resolved, That the Governor be requested to communicate the foregoing resolution to each of our members of Congress respectively.

Approved, February 20, 1857.

No. 3.

JOINT RESOLUTIONS instructing Senators in Congress and requesting Representatives in relation to duties of Sugar and Molasses.

Resolved, by the Senate and Assembly of the State of Wisconsin, That our Senators in Congress be instructed, and our Representatives requested, to use their influence for the passage of an act repealing all duties on Sugar and Molasses.

Resolved, That the Governor be requested to forward a copy of this resolution to each of our Senators and Representatives in Congress.

Approved, February 23, 1857.

No. 4.

JOINT RESOLUTIONS relating to Slavery, the Slave trade, Polygamy and the security of the Territories of the United States.

Resolved, by the Senate and Assembly of the State of Wisconsin, That our Senators in Congress be and they are hereby instructed, and our Representatives requested, First—To oppose the passage of any act for the government of any Territory now belonging to the United States, or which may hereafter be acquired, unless it shall contain a provision forever prohibiting the introduction of slavery or involuntary servitude into said Territories, except as a punishment for crime.

Second.—To oppose the admission of any more Slave States into the Federal Union.

Third.—To exert their influence to procure the repeal of all laws sustaining slavery in any place under the control of the National Government; to obtain the passage of such laws as will prohibit slavery, the slave trade, and polygamy, in all places under the exclusive jurisdiction of the Federal Government, including the Territories belonging to the United States; to secure to the people the right to emigrate thereto without interruption either by land or on the navigable rivers of the United States; to prevent forcible invasions of such Territories, and to guarantee to all the inhabitants thereof the free and uninterrupted expression of their will in the formation of a Constitution, and the enactment of just and constitutional laws.

Resolved, That his Excellency, the Governor, is hereby requested immediately to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, to be by them laid before Congress.

Approved, March 9, 1857.

No. 5.

JOINT RESOLUTIONS in regard to Printing.

WHEREAS, the State Printer has reported that it is impossible to deliner the report of the Superintendent of Public Instruction previous to adjourment therefore:

Resolved, by the Assembly, the Senate concurring, That the said Printer is hereby directed to deliver the seven thousand copies ordered by the Legislature to the Superintendent of Public Property when printed, and the said Superintendent of Public Property is hereby directed to distribute the seven thousand copies as follows: 1000 copies to the office of the Superintendent of Public Instruction; 20 copies to each of the other State offices; 40 copies to the State Historical Society, and 40 copies to each member of the two Houses of the Legislature; to be sent to them by mail or otherwise at the expense of the State.

Approved, March 9, 1857.

No. 6.

JOINT RESOLUTIONS in relation to the Naturalization Laws.

Resolved by the Senate and Assembly of the State of Wisconsin, That our Senators in Congress are instructed, and our Representatives requested, to use their active influence and votes to prevent any change in the Naturalization laws of the United States.

Resolved, That the Governor of this State be requested to sign these resolutions and authenticate them with the official seal of the State, and to transmit copies of them to each of the Senators and Representatives in Congress from this State.

Approved, March 9, 1857.

MEMORIALS

OF THE

SENATE AND ASSEMBLY,

OF THE STATE OF WISCONSIN—SESSION OF 1857.

No. 1.

MEMORIAL to Congress for the establishment of a Mail Route from Stevens' Point to St. Paul via. Weston's Rapids.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

This Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interests and convenience of a large number of the inhabitants of the Northern and Eastern part of the State of Wisconsin require the establishment of a mail route by land from Stevens' Point in Portage county via. Weston's Rapids in Clark county, to St. Paul, on the Mississippi river.

Your Memorialists would therefore respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, January 31, 1857.

No. 2.

MEMORIAL to Congress for the erection of a Light House at the mouth of Kewaunee River, in the County of Kewaunee.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the mouth of Kewaunee River, in the State of Wisconsin, is a large and commodious harbor, easy of access from Lake Michigan, and affords a safe anchorage for vessels navigating said lake; that the village of Kewaunee, which is located at the mouth of said river is the county seat of said county of Kewaunee; that a large and fertile section of country abounding in pine and other timber, and now producing immense quantities of lumber finds its only outlet into Lake Michigan through the mouth of said river; that the nearest points to said Kewaunee at which Light Houses have been erected are at Two Rivers on the south, twenty-five miles distant from said Kewaunee, and at Bailey's Harbor, on the north fifty miles distant therefrom, and that the wants of commerce on Lake Michigan, and the interests of the country tributary to said Kewaunee require that a Light House should be immediately erected at the mouth of said river.

Your Memorialists therefore respectfully ask that an appropriation be made for the erection of a Light House at the mouth of said Kewaunee River, in said County of Kewaunee, in the State of Wisconsin.

Approved, February 12, 1857.

No. 3.

MEMORIAL to Congress for the establishment of a Mail Route from Trempeleau to Black River Falls.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large number of the inhabitants of the counties of Trempeleau and

Jackson require the establishment of a mail route from Trempeleau, in Trempeleau county, via. Galesville and Preston, in Trempeleau county, and Mound Springs, in Jackson county, to Black River Falls.

Your Memorialists would therefore respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, February 20, 1857.

No. 4.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of the citizens of a thickly populated portion of country are concerned in the establishment of a mail route, by land, from La Crosse to Trempealeau.

Your memorialists would therefore respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, February 20, 1857.

No. 5.

MEMORIAL to Congress for a Mail Route from Black River Falls in Jackson County, to Prescott in Pierce County,

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the convenience and interest of a large number of the inhabitants of the counties of Jackson, Buffalo, Dunn and Peirce, require the establishment of a mail route from Black River Falls, by way of Beaver Creek, O'Galle's Mills, and Trimbell, to Prescott.

Your Memorialists would therefore respectfully ask that the above route may be established as a mail route.

Approved, February 20, 1857.

No. 6.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, represents:

That the interest and convenience of a large number of the inhabitants of the Counties of Trempealeau, La Crosse and Monroe, require the establishment of a mail route from Trempealeau, Trempealeau County, via Steven's Town and Mendora, in La Crosse County, to Sparta, in Monroe County.

Your Memorialists would therefore respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, February 20th, 1857.

No. 7.

MEMORIAL to the Post Master General for increased Mail facilities from Black River Falls to Stillwater via. Hudson, upon route 13,776.

To the Honorable the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the rapid settlement and great increase of business on the route herein defined and indicated, viz: from Black River Falls, county seat of Jackson county, to Stillwater, via. Hudson, St. Croix county, imperiously require the establishment of at least a tri-weekly mail route, beginning, passing through and terminating as above defined.

Your Memorialists therefore respectfully ask that, therefore, said increase of mail service may be granted at the earliest praticable period.

The Governor of this State is requested to forward a copy of this memorial to the Hon. C. C. Washburn, representative in Congress from the second Congressional District of the State of Wisconsin, as soon as practicable.

Approved, February 20, 1857.

No. 8.

MEMORIAL to Congress for an appropriation for a Breakwater in Milwaukee Harbor, and for the establishment of a Marine Hospital at the port of Milwaukee.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the State of Wisconsin respectfully shows:

That the port of Milwaukee has at this time a large and rapidly increasing lake commerce; that the total amount of tonnage belonging to Milwaukee District on the 31st of December last was 21497.50 tons, being an increase over the amount at the close of the preceding year of 7,155 tons; that the whole number of arrivals and departures for the year 1856 at the port are 4,720, with an aggregate tonnage of 2,009,826, with 84,549 seamen on board. The revenue collected at the port of Milwaukee during the year 1856 up to December 18th, was $205,992 40, and the imports and exports for the last year are estimated by the Milwaukee Board of Trade at $75,000,000, or about one fifth of the entire commerce of Lake Michigan; that Milwaukee Bay in its present condition affords one of the best Harbors on the west side of Lake Michigan, and is sought as a place of refuge by vessels navigating the Lake in stormy weather. That notwithstanding its natural advantages and the improvements which have been made there both by Congress and by the City of Milwaukee, the Harbor affords but a partial protection to our Lake commerce in severe storms. That the erection of a Breakwater, extending from the north point along the

shoals into the Lake, it is believed would render the Harbor much more safe and secure than it now is, and would add greatly to the value of the improvements already made there.

Your memoralists therefore pray that the necessary examination and surveys may be made by the proper department to determine the feasibility and utility of such Breakwater, and that if it shall be found practicable to construct one, a sufficient appropriation may be made for that purpose, and such Breakwater constructed without delay.

Your memorialists also pray that Congress will provide for establishing at once a Marine Hospital at the said City of Milwaukee. Your memorialists believe that the Lake commerce of the said City is of sufficient importance to entitle it to the fostering care of the General Government, and that its interests cannot be better promoted than by the early erection of such Breakwater and the immediate establishment of a Marine Hospital at said port.

Approved, February 23d, 1857.

No. 9.

MEMORIAL to Congress for a Mail Route from Portage City via Lodi and Sauk City to Mazo Manie, in Dane County.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents.

That the interest and convenience of the counties of Columbia, Sauk and Dane, will be promoted by the establishment of a mail route from Portage City via Lodi in the county of Columbia, Sauk City in the county of Sauk, to Mazo Manie in the county of Dane.

Your Memorialists represent that the citizens who reside in the district of country through which the contemplated mail route will pass, are now destitute of mail facilities, except as they are supplied in a very

imperfect manner, and by distances from their settlements, creating daily inconveniences.

Your Memorialists believe that the proposed route affords facilities for Post Office communication to a large number of citizens, who, by their industry and enterprize, are now settling and improving a valuable district of country.

Approved, February 24, 1857.

No. 10.

MEMORIAL to Congress for a mail route.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of the people of the south-western part of the State requires the establishment of a mail route leading from Dunleith, the terminus of the Illinois Central Railroad, on the Mississippi river, to Boscobel on the Wisconsin river.

Your memorialists show that a tri-weekly stage has been run for about one year last past, from Dunleith via Potosi to Lancaster on the route from Dunleith to Boscobel being about two-thirds the distance of the proposed mail route.

Your memorialists represent that Boscobel is an important station on the Milwaukee and Mississippi Railroad, and a rapidly growing village, and the said route from Dunleith to Boscobel a greatly travelled thoroughfare.

Your memorialists pray for the establishment of a tri-weekly mail from Dunlieth via Potosi, Lancaster and Fennimore to Boscobel.

Approved, February 25th, 1857.

No. 11.

To the Honorable the Senate and House of Representatives of the United States.

The Memorial of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large and rapidly increasing portion of Richland and Bad Ax counties, require the establishment of a mail route from Muscoda in Grant county, to Viroqua in Bad Ax county, via Reedstown, a distance of forty miles.

The establishment of the above named routes will furnish mail service to a large portion of country now entirely destitute of this advantage.

Your Memorialists would therefore respectfully ask that said route may be established as speedily as possible.

Approved, February 25, 1857.

No. 12.

MEMORIAL to the Congress of the United States in relation to the establishment of a Mail Route.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

That the interests and convenience of a large portion of Northern Wisconsin would be greatly promoted by the establishing of a semi-weekly mail route from Saxeville in Waushara county, on the line of the State road to Stevens' Point, in Portage county, via Belmont and Meadley, a distance of thirty-six miles.

Your Memorialists therefore urge upon your honorable body the necessity of immediately establishing such mail route.

Approved, March 2, 1857.

No. 13.

MEMORIAL to Congress of the United States in relation to the establishment of a Mail Route.

The people of the State of Wisconsin, represented in Senate and Assembly, by this their Memorial of the Legislature of the said State, respectfully represent to the Honorable, the Senate and House of Representatives of the United States, in Congress assembled:

That the interests and convenience of a large number of the people of the counties of Sheboygan, Manitowoc and Calumet, are concerned in the establishment of a mail route from the city of Sheboygan to Chilton in Calumet county, via Howard's Grove in said county of Sheboygan, town of Schleiswick, in Southwest corner of Manitowoc county, and town of New Holstein in Calumet county.

Your memorialists further state that the mail now carried from Sheboygan city to Chilton is on horseback from Plymouth, going a roundabout way of at least fifteen miles, and does not tuch at said town of Schleiswick in Manitowoc county, and said town of New Holstein; and further, that there is now being built a public road through the entire route from Sheboygan to Chilton, of plank and gravel, to be completed by the forepart of June, so as to use wagons or coaches the entire distance, and be a direct nearly air line road, and greatly facilitate the travel and business of a large section of country heretofore entirely shut out for the want of any road through it, even not so much as a section line or other common travelled road to shorten the distance from point to point, and accomodate a heretofore and present large section of country deprived of mail facilities, except at a large expense of travel and inconvenience to the pioneers of said section of country.

Approved, March 2, 1857.

No. 14.

MEMORIAL to the Post Master General for increase of Mail service on the Mail Route from Ripon or Ceresco, in Fond du Lac County and from Dartford, aforesaid, to Princeton in Marquette County.

To the Honorable the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That since the completion of the Berlin and Horicon Railroad to Ripon or Ceresco, the interest of a large

and densely populated portion of the country would be greatly enhanced by daily mail service on the mail route from Ripon to Dartford, and from Dartford to Princeton.

Your Memorialists would therefore respectfully ask that such increase of mail service may be granted at the earliest practicable period.

Approved, March 2, 1857.

No. 15.

MEMORIAL to Congress of the United States in relation to the establishment of a Mail Route.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

That the interests and convenience of a large portion of Northern Wisconsin would be greatly promoted by the establishment of a semi-weekly mail route from Poysippi, in Waushara county, on the line of the State road to Grand Rapids, in Portage county, a distance of about fifty miles.

Your Memorialists therefore urge upon your honorable body the necessity of immediately establishing such mail route.

Approved, March 2, 1857.

No. 16.

MEMORIAL to Congress praying for a grant of lands in this State for School fund purposes.

To the Honorable the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That a large number of the towns in the State of Wisconsin being fractional have no sixteenth section,

and that also a large number of towns have but a fractional part of the sixteenth section of land by the Government survey, and that for this reason the school fund of the State, arising from the sale of the sixteenth sections as authorized by Congress for school fund purposes is greatly diminished.

Your memorialists therefore pray that a law may be passed by Congress granting out of the public lands in this State, still belonging to the United States, an amount of lands equal to the amount which the State would have possessed had each town and fractional town in the State contained in full sixteenth section; and that such law may authorize the selection of such lands by the Governor of the State of Wisconsin.

The Governor is hereby requested to forward copies of this memorial to each Senator and Member of Congress from this State.

Approved, March 2, 1857.

No. 17.

A MEMORIAL to Congress for the survey of the Islands of the Mississippi and Wisconsin Rivers.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin:

That there are many and large Islands in the Mississippi and Wisconsin Rivers in this State, which might be reclaimed and would become valuable. That it was the intention of the Act of Congress of September 28, 1850, entitled "An Act to enable the State of Arkansas and other States, to reclaim the swamp and overflowed lands within their limits," to vest the title to said Islands in the States within which they are situated. But as said Islands have never been surveyed by the General Government, no patent can issue for the same; that said Islands are mainly timbered lands, and are being

rapidly stripped of their value, and there is no available means for their protection.

Your Memorialists further represent that the Western boundary line of the State is the channel of the Mississippi River, which is changeable and uncertain, rendering it difficult to determine to which State some of it may belong.

Your Memorialists would therefore respectfully ask that the Surveyor General at Dubuque may be authorized and directed to cause to be surveyed the Islands of said Rivers, and that the Surveyor designated by him for that purpose may be directed to fix permanently the Western boundary line of said State through said Mississippi River.

Approved, March 2, 1857.

No. 18.

MEMORIAL to Congress for the extension of the mail route from Princeton, in Marquette County, to Dell Prairie, in Adams County, to Kilbourn City on the Wisconsin River, and tri-weekly service thereon.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large and densely populated portion of the country would be greatly enhanced by the extension of the mail route from Princeton, in Marquette County, to Dell Prairie, in Adams County, to Kilbourn City, on the Wisconsin River in said County of Adams, and by tri-weekly mail service on the route so extended.

Your memorialists would therefore respectfully ask that said mail route may be extended as aforesaid, and tri-weekly service established thereon at the earliest practicable period.

Approved, March 3, 1857.

No. 19.

MEMORIAL to Congress for the establishment of a mail route from Fox Lake, in Dodge County, to Wautoma, in Waushara County.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large number of inhabitants of the counties of Dodge, Marquette and Waushara, require the establishment of a mail route from Fox Lake, in Dodge County, by way of Markesau, Princeton and Neshkoro, in Marquette County, to Wautoma in Waushara County.

Your memorialists would therefore respectfully ask that the aforesaid mail route may be establishe i at the earliest practicable period.

Approved, March 3, 1857.

No. 20.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large number of the inhabitants of the counties of Waushara and Waupaca require the establishment of a mail route from Wautoma, Waushara County, to Waupaca, Waupaca County, and that post offices be located on said route, as follows, to wit: One on section five (5), town twenty (20), range eleven (11), east; and on section thirty-six (36), town twenty (20), range ten (10), east.

Your memorialists would therefore respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, March 3, 1857.

No. 21.

MEMORIAL to Congress for the establishment of a Mail Route from Baraboo via Glendale, Kickapoo, Leon, Bangor, and Barre, to La Crosse.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin, represents:

The interest and convenience of a large and rapidly settling portion of the State would be greatly subserved by the establishment of a mail route from Baraboo in Sauk county, via. Glendale, Kickapoo, Leon, Bangor and Barre, to the city of La Crosse, in La Crosse county.

Your Memcrialists therefore respectfully ask that the above named mail route may be immediately established with such mail service thereon as may be deemed necessary.

The Governor of this State is hereby requested to furnish a copy of this memorial to the Hon. James R. Doolittle, Senator elect from the State of Wisconsin, and that the said James R. Doplittle, when he takes his seat in the United States Senate, be requested to use his influence to obtain for it a favorable hearing.

Approved, March 3, 1857.

No. 22.

MEMORIAL to Congress for a Harbor at Ozaukee.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

That upon the west shore of Lake Michigan the distance from Milwaukee to Sheboygan is fifty miles, and that for such extent of the Lake shore there is no protection of any kind for vessels or boats navigating the said Lake. That shipwrecks and disasters are of fre-

quent occurrence; that the port of Ozaukee is equi-distant from Sheboygan and Milwaukee; that there were two wrecks in the month of October last, within forty rods of the mouth of Sauk river, at Ozaukee involving a loss of over fifty lives and nearly half a million dollars of property, all of which would undoubtedly have been saved if there had been any suitable protection for vessels at that place; that in the opinion of your memorialists, the interests of seamen require that an appropriation shall be made for a harbor or breakwater at said port of Ozaukee.

Your Memorialists therefore respectfully ask that an appropriation be made by Congress for a Harbor at Ozaukee.

Approved, March 3, 1857.

No. 23.

MEMORIAL to the Post Master General, to take up a part of the Mail Route from Fox Lake to Stevens Point, and increase Mail service on the remainder.

To the Honorable the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the portion of the mail route from Fox Lake to Stevens Point, which lies between Wautoma in Waushara county, and Stevens Point, is already provided with daily mail service by the route from Berlin to Steven's Point via Wautoma, and petition that the portion of Fox Lake route to Steven's Point, north of Wautoma, be discontinued; also, represents that the interest and convenience of a large number of the inhabitants of the counties of Dodge, Marquette and Waushara, require increase of mail service to tri-weekly trips on the balance of said route, being from Fox Lake to Wautoma.

Your Memorialists would therefore respectfully ask that the prayers of their petition above be granted at the earliest practicable period.

Approved, March 3, 1857.

No. 24.

MEMORIAL to the Post Master General.

To the Honorable the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interests and convenience of the people of Iowa and Richland Counties demand that a regular mail communication be established between Mineral Point, in Iowa County, and Richland Centre, in Richland County, the County seats of their respective Counties, via Linden, Highland, Richland City, and Sextonville.

Your memorialists therefore respectfully ask that a tri-weekly mail route be established between said places, and service immediately commenced.

Approved, March 3, 1857.

No. 25.

MEMORIAL to the Post Master General relating to mail service between the cities of Milwaukee and Manitowoc.

The Memorial of the Legislature of the State of Wisconsin, respectfully showeth:

That a daily mail has been established for some years between the cities of Milwaukee and Sheboygan, that during the season of navigation, say from the first day of April to the first day of December there is a daily mail between Milwaukee and Sheboygan by steam-boat, touching only at Port Washington, and a tri-weekly mail between Milwaukee and Manitowoc.

Your memorialists further state the country through which the tri-weekly mail route is established has a large and rapidly increasing population containing numerous thriving villages, among which lying immediately on the route are Mequon River, Cedarburgh, Grafton, Saukville, and Ozaukee, in the County of Ozaukee; Holland, Lima, Sheboygan Falls, Sheboygan, Hermann, in the County of Sheboygan; Meemee, Newton, and Manitowoc, in the County of Manitowoc.

Your Memorialists further state that, in their opinion, no sufficient reason exists for depriving a large majority of the places above named should be deprived during a term of seven or eight months in the year from the benefits of a daily mail.

Your Memorialists therefore respectfully request that a daily mail be hereafter carried on the above route, between Milwaukee and Manitowoc, and your Memorialists will ever pray.

Approved, March 6, 1857.

No. 26.

MEMORIAL to Congress asking an amendment of Clause third, of Section second, of the Constitution of the United States, relating to the basis of representtaion.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

That the present basis of representation as established by clause third, of section second, of the Constitution of the United States, is grossly unequal and unjust.

Your Memorialists would call the special attention of your Honorable body to the manifest inconsistency and injustice of allowing to the people of one portion of the confederacy a property representation while the same right is not enjoyed nor can be exercised by all alike, and would respectfully suggest, whenever *men* are held and owned and recognized as "chattels" they should not, and in justice to all members of the confederacy, cannot confer upon their owners any other or greater privileges than other goods and chattels; and your memorialists believe the tendency and effect of the present basis of representation is to build up an aristocracy of wealth and power—concentrating political strength and power in the hands of a privileged few.

Your Memorialists, therefore, ask your Honorable body to propose according to the provisions of Section one, Article five, of said Constitution, such amendments thereof, as will remedy the evils herein complained of.

Approved, March 9, 1857.

STATE OF WISCONSIN, } ss.
SECRETARY'S OFFICE.

The Secretary of State of the State of Wisconsin, does hereby certify that the laws published in this book have been compared with the original enrolled acts deposited in this office, and that they appear to be correctly printed.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of said State at the Capitol in Madison, this 15th day of July, 1857.

L. S.

D. W. JONES,

Secretary of State.

APPROPRIATIONS.

DATE.	NO.	NAME.	FOR WHAT APPROPRIATED.	AMOUNT.
Jan. 17..	1..	James Armstrong,	Clerk of the Assembly	$ 75 00
17..	1..	Byron Paine,	Clerk of the Senate	50 00
19..	2..	Antoine Barbain,	Services in and about the Capitol	88 00
28 .	3..	Superintendent Public Property,	Postage stamps,	700 00
29..	4..	Berliner & Bruno,	Badger Safe and locks for Supreme Court office, freight, etc.	1275 00
Feb. 9..	5..	Amasa Cobb,	printing blanks and postage, Adjt. Gen. office, for 1856	81 00
12..	6..	Joseph W. Smith,	Sheriff Green county, serving requisition	50 00
14..	7..	S. V. Shipman,	work on Maps for Executive office, etc	120 50
17..	8..	Samuel G. Bugh,	witness fees in Proudfit vs. State	22 00
16..	9..	Berliner & Bruno,	Freight, travelling expenses, etc., Safe Executive office	75 00
17..	10..	Hale & Harris,	account rendered	66
17..	11..	John W. Luttring,	services rendered State as Sheriff	20 52
19..	12..	Dewey K. Warren,	conveying three prisoners to Waupun	82 00
20..	13..	Joseph Giles,	conveying prisoners from Jefferson county	16 00
20.	14..	Atwood & Rublee,	account rendered, documents ordered by Senate	200 60
20..	15..	R. S. Bacon,	rent office Sup. Public Instruction (27 Oct. to 27 Jan.)	37 50
20..	16..	Charles H. Barton,	Engineering for Lunatic Asylum,	28 00
20..	17..	William Habich,	services as night-watch, (Treasurer's office.)	300 00
20..	18..	John Catlin,	rent office Sup. Public Instruction, (26 June to 1 Nov. '56.)	43 05
23..	19..	A. H. Bancroft,	conveying Prisoners from Portage county to Waupun	50 00
23..	20..	R. J. Smith,	account rendered	490 40
24..	21..	Gleason & Houghton,	Hardware furnished from 4 Oct. to 3 Jan.	97 05
25..	22..	James A. Markland,	per diem and mileage contesting seat	188 00
25..	23..	Edmund Gibbs,	Gas fixtures, extension, repairs, etc	562 05
25..	24..	John D. Welch,	Sheriff Dane County	128 00
25..	25..	W. Skinner,	wood, (20 cords.)	100 00
25..	26..	Edward McGarry,	Com. of State Prison, to defray expenses	5000 00
26..	27..	Andrew Bishop,	attendance upon Supreme Court	528 00
26..	29..	A. Haskins,	Sheriff, conveying prisoners from Rock county to Waupun	448 50
26..	29..	Joseph Gates,	conveying prisoners from Walworth county	145 00
26..	30..	Edward McMahon,	bringing returns from Jefferson county, electoral vote	30 00
26..	31..	William P. Call,	boarding and conveying prisoners from Green Bay	[illegible] 0
26..	32..	S. G. Benedict,	Lever Press for office State Treasurer	15 00
26..	33..	O. C. Buck & Co.,	bill books, deeds, etc., furnished	282 2

Feb.	26..	34..	Robert B. Wentworth, printing ordered by Com. of State Prison	12 50
	26..	35..	Robert Emery Jones, translating documents into Welsh, etc.	92 00
	26..	36..	N. W. Dean, bill envelopes of 7 Nov. 1856	67 15
	26..	37..	Welstood, Hay & Whiting, bill rendered, engraving and printing	571 28
	26..	38..	John E. Fuller, 4 computing telegraph	24 00
	26..	39..	G. Weiss, Sheriff Washington county, serving summons, etc., trav. expenses	9 42
	27..	40..	J. H. Preus, Sup. Public Property, postage stamps Senate and Assembly	488 00
	27..	41..	Coles Bashford, expenses in trial quo warranto	9000 00
	27..	42..	Calkins & Proudfit, printing	11876 90
Mar.	2..	43..	C. W. Cook, enrolling New Code Bill	12 00
	2..	44..	A. Hoskins, Sheriff Rock county, serving requisition	47 50
	2..	45..	A. A. Baker, Door springs furnished for Capitol	37 00
	2..	46..	LaFayette Kellogg, Clerk Supreme Court, fees	302 04
	2..	47	Daniel S. Durrie, account rendered	174 96
	2..	48..	W. P. Towers, Painting in and about the Capitol	58 32
	2..	49..	O. M. Dering, conveying State prisoner from LaFayette county	70 50
	2..	50..	Wm. A. Mears, Lumber furnished Sup. Public Property	123 42
	2..	51..	Joseph Wood and Alfred Earle, appraising School Lands, 1836	48 00
	2..	52..	Sharp & Oakley, labor and material	10 00
	2..	53..	Robert Chandler, witness fee and mileage, Proudfit case	25 00
	2..	54..	Lorenzo Preston, conveying prisoner to Waupun from Grant county	75 00
	2..	55..	Chauncey H. Brush, serving subpœns	30 00
	2..	56..	D. M. Burwell, Enameled Cloth furnished Sup. Public Property	87 50
	2..	57..	Jacob H. Kimball, statement Swamp Lands sold, Milwaukee District	100 00
	3..	58..	Edward Ilsley,	115 00
			William Richardson,	80 00
			Simeon Dean, ... Services as Clerk's	40 00
			S. G. Benedict, ... Joint Investigating Committee.	28 00
			William Brooks,	24 00
			George Batchelder,	90 00
			Wm. C. Rogers, paid serving papers for ditto	5 00
			Samuel D. Hastings, paid witness fees and Telegraph expenses	8 00
	3..	59..	M. M. Davis	25 00
			E. Gernon ..... Of Joint Com. on State Prison	25 00
			Wm. Chappell, and ..... for services and expenses visiting	25 00
			Thos. Sugden	25 00
			A. Scott Sloan	25 00
	3..	60..	James Sutherland .. Of Joint Committee	12 00
			Wm. M. Morse, and ..... to visit Institute for Deaf and Dumb	12 00
			S. A. White ..... expenses visiting	12 00
			Theodore Conkey	10 00
			G. W. Stone, and ..... Ditto	10 00
			Edwin Wheeler	10 00
	4..	61..	Anson K. Burrell, conveying State prisoner from Bad Ax county	136 50
	4..	62..	A. Whittemore & Co., stationery	108 50
	5..	63..	Colwell & Co., account rendered, lead pencils, etc	11 00
	4..	64..	Fuchs & Goll, Governor's Mess. page in German	100 00
	4..	65..	J. F. Birchard, Chairs, Desks, Book Cases, etc	839 00
	5..	66..	A. C. Bawy, Freight, etc., paid at office Sup. Pub. Inst	62 72
	5..	67..	J. S. Webster, Painting and Glazing	12 50
	5..	68..	Wright & Paine, bill Paints, Oils, etc., furnished	82 63
	5..	69..	Wm. Pyncheon, bill drayage	86 52
Mar.	5..	70..	S. S. Conover, boarding and conveying State prisoners	328 48
	5..	71..	Tibbitts & Gordon, Hardware	54 31
	5..	72..	O. E. Dreutzer, services as Assistant Sergent-at-Arms	9 50
	5..	73..	H. L. Page, boarding and conveying State prisoners	406 16
	5..	74..	Donaldson & Tredway, account rendered, Hardware, Carpet, etc	406 94

DATE.	NO.	NAME.	FOR WHAT APPROPRIATED.	AMOUNT.
Mar. 5..	75..	E. Beaver, Sheriff Fond du Lac Co., conveying State prisoner		10 00
5..	76..	Samuel R. Fox, Hardware		55 41
5..	77..	George Robinson, conveying State prisoner		20 00
5..	78..	N. W. Dean, services, procuring witnesses before case of Proudfit		36 60
5..	79..	T. N. Bovee, account rendered, repairing locks and furnishing keys		50 90
5..	80..	Etheridge, Shoemaker & Co., Candles		42 25
5..	81..	James R. Doolittle	For services as Attorneys	750 00
		Chauncey Abbott	for State in the adjustment of	750 00
		Joseph A. Sleeper	Proudfit's claim	750 00
5..	82..	James Halpin, stationery, freight, etc., furnished		260 47
5..	83..	Adams & Adams, Hardware		179 88
6..	84..	O. M. Dering, serving requisition		265 00
6..	85..	Patrick Carmody, filling Capitol Ice House		125 00
6..	86..	Coles Bashford, Governor's contingent fund		10000 00
6..	87..	Ole Nottolfson, damages sustained		200 00
6..	88..	James O. Bartlett, Sheriff Racine county		56 76
6..	89..	Livesey & Carroll, foundation for safe in basement Capitol		18 00
6..	90..	V. W. Roth, bell for Secretary's office		2 50
6..	91..	I. C. Chandler, advertising sale of Swamp Lands		10 25
6..	92..	Thurston & Muldoon, account rendered, Blacksmith work		23 90
6..	93..	S. Klauber & Co., account rendered, Carpeting, Toweling etc		173 86
6..	94..	Maul & Grimm, binding Books State Library, etc		42 25
6..	95..	William Miller, Labor in and about the Capitol		157 50
		Mathias Wicks	Ditto.	276 25
		Frank Smith	Ditto.	276 25
		Ole Torgurson	Ditto.	288 75
		Peter Coyne	Ditto.	120 00
		Martin Peyton,	Ditto.	100 00
		Wm. Fitzpatrick,	Ditto.	120 00
		John Leonard,	Ditto.	100 00
		John Matthews,	Ditto.	120 00
		James Quinn,	Ditto.	120 00
		Patrick Duffy,	Ditto.	120 00
		Charles Myers,	Ditto.	157 50
		John Keane,	Ditto.	353 75
		John W. Tierney,	Ditto.	282 50
7..	96..	Chief Clerk of the Senate, Indexing Journals 1857		100 00
		Chief Clerk of the Assembly	Ditto	100 00
		Chief Clerk Senate, extra services reading proof, etc		75 00
		Chief Clerk Assembly	Ditto	75 00
		E. B. Quiner, Assistant Clerk Assembly		75 00
		Sidney Foote, Transcribing Clerk of Assembly		50 00
		C. D. Long, Enrolling Clerk	"	50 00
		C. T. Overton,	"	50 00
		D. L. Deyo, Engrossing Clerk	"	50 00
		Harvey Briggs,	" for extra services	50 00
		Harrison Reed, Assistant Clerk Senate		75 00
		E. Stansbury, Transcribing Clerk		50 00
		Henry F. Bond, Engrossing Clerk		50 00
		S. S. Barlow, Enrolling Clerk Senate		50 00
7..	97..	Edward B. Foreman, Messenger Executive Department		120 00
		Arthur T. Howe, extra services Messenger of Senate		27 50

DATE.	NO.	NAME.	FOR WHAT APPROPRIATED.	AMOUNT.
Mar.	7.. 97..	Frank Munger, extra services Messenger of Senate		20 00
	7.. 98..	Rufus King & Co., publishing Bank Comptroller's Report		29 25
	7.. 99..	Jacob H. Preuss, Sup. of Public Property, salary		792 00
	7..100..	Weed, Eberhard & Co., Stationery and Binding for State His. Society		892 44
	7..101..	Silas E. Pearson, Carpenter work in and about Capitol		186 25
	7..102..	Joseph Keyes, Ass. Sup. Public Property, salary to 2 March		426 00
	7..103..	N. H. Eggleston, salary as chaplain of Senate		100 00
	7..104..	William Beck, reward for apprehending Railroad depredators		500 00
	7..105..	Daniel S. Durrie, Portfolios and Gold Pens furnished		62 75
	7..106..	Ashael Rogers, Messenger Secretary's office		125 00
	7..107..	Joseph Gates, Sheriff, conveying State prisoners from Walworth county		125 00
	7..108..	C. T. Flowers, Wilder's safe, freight and cartage		155 60
	7..109..	Pem Rawson, serving requisition		187 34
	7..110..	E. P. Perry, per diem and mileage contesting seat Assembly		187 5
	7..111..	J. Gillett Knapp, summoning witnesses and counsel fees		218 00
	7..112..	Starkweather & Ellsmore, Merchandise furnished State Prison		98 55
	7..113..	William J. Webster, conveying State prisoner from Adams county		40 00
	7..114..	C. Adams & Co., Tobacco furnished State Prison		26 50
	7..115..	Edward Daniels, balance services as State Geologist, etc		312 50
	7 .116.	J. E. Dunovan, conveying State prisoner		30 00
	7..117..	Jacob H. Preuss for Wm. A. Wheeler. stationery		114 70
	7..118..	D. C. Patten, serving requisition		97 00
	7..119..	Madison Gas Light and Coke Co., Gas in Park Lamps to 1 Jan		204 94
	7..120..	Robert Wyatt, attendance and mileage as witness in McGarry case		28 80
		John Lewth,	Ditto. Ditto.	28 80
		Lawrence Roney,	Ditto. Ditto.	28 80
		Forbes Hamilston,	Ditto. Ditto.	28 80
		John Shirley,	Ditto. Ditto.	28 80
		Israel Gurney,	Ditto. Ditto.	28 80
		M. Spilane,	Ditto. Ditto.	28 80
		Thomas Murray,	Ditto. Ditto.	28 80
		John McCune,	Ditto. Ditto.	28 80
		C. B. Witton,	Ditto. Ditto.	28 80
		D. W. Moore,	Ditto. Ditto.	28 80
		John Cooper,	Ditto. Ditto.	28 80
		Geo. D. Roberts,	Ditto. Ditto.	28 80
		Edward Farrell,	Ditto. Ditto.	28 80
		Francis Shoeffler,	Ditto. Ditto.	28 80
		Geo. W. Mygatt,	Ditto. Ditto.	26 80
		John Taylor,	Ditto. Ditto,	26 80
		L. A. Schmidtner,	Ditto. Ditto.	20 80
		M. Kane,	Ditto. Ditto.	26 80
		John Burke,	Ditto. Ditto.	26 80
		Charles Eldridge,	Ditto. Ditto.	87 60
	7..121..	William K. Wilson, expenses, etc., impeachment L. Hubbell		500 00
	7..122..	Elias Stangeland, services as Emigrant Agent at Quebec		384 29
	7..123..	Charles Meyer, recording Mortgages in Sheboygan county		8 00
	7..124..	Daniel Appleton & Co., Bill Books, 2 Dec. 1854		120 95
	7..125..	David Atwood, extra services as assistant and reading Clerk		100 00
	7..126..	Wm. Richardson, balance services as Clerk joint com. investigation		12 00
	7..127..	Edward F. Lewis, conveying State prisoners from Columbia county		40 00

DATE.	NO.	NAME.	FOR WHAT APPROPRIATED.	AMOUNT.
Mar.	7	128	Ford & Fairbanks, Stationery	179 50
	7	129	K. J. Fleischer, Governor's message in Norwegian	50 00
	7	130	Alexander McBride, 300 cords of wood	1500 00
	7	131	Dan Noble Johnson, services Clerk Electoral College	25 00
	7	132	Boyd & Lebyard, account rendered	584 14
	7	133	Alexander Stillwell, services	150 00
	7	134	Young & Gibbs, publishing election notice, "Prescott Transcript."	15 00
	7	135	Simeon Mills for Stephen F. Gale, Territorial Scrip	10 00
	7	136	Atwood & Rublee, 3000 copies Journal with report Mr. Mills	150 00
	7	137	Calkins & Proudfit, and Atwood & Rublee	Printing for State during session 1857	6819 05
	7	138	Simeon Dean, 100 cords wood	425 00
	7	139	Livesey & Carroll, bill of Mason work	21 56
	7	140	Grant County, boarding and clothing for Convict	7 00
	7	141	County of La Fayette, double assessment	49 26
	9	142	A. Bishop, conveying State prisoner, serving summonses	334 50
	9	143	Samuel Amadon, mileage and attendance in case vs. McGarry	28 80
			Joseph Langdon, Ditto. Ditto.	28 80
			Manners Mensink, Ditto. Ditto.	28 80
			John M. Schreock, Ditto. Ditto.	28 80
			William Reinhard, Ditto. Ditto.	28 80
			Thomas B. Moore, Ditto. Ditto.	28 80
			De Witt Richardsen, Ditto. Ditto.	28 80
			Charles Bush, Ditto. Ditto.	28 80
			Elen Woodward, Ditto. Ditto.	31 00
			S. W. Danforth, Ditto. Ditto.	28 80
			John Ware, Ditto. Ditto.	47 60
			A. W. Starks, Ditto. Ditto.	22 00
			S. W. Danforth, serving subpœnas in above case	32 60
	9	144	G. Barkham, making and laying Carpets office Sup. Public Instruction	10 00
	9	144	Alden S. Sanborn, witness fees, etc., in case Proudfit	23 50

STATE OE WISCONSIN, } ss.
SECRETARY'S OFFICE. }

The Secretary of the State of Wisconsin, does hereby certify that he has compared the foregoing list with the original acts of appropriations deposited in this office, and that the same is a complete list of all of the appropriations made at the last session of the Legislature, except such as are printed at length in this volume.

In Testimony Whereof, I have hereunto set my hand
L. S. and affixed the Great Seal of said State at the Capitol in Madison, this 15th day of July, 1857.

D. W. JONES,

Secretary of State.

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